City of Toronto

LAND USE AND NEIGHBOURHOODS COMMITTEES

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SPECIAL REPORT No. 1

FOR CONSIDERATION BY THE COUNCIL OF THE CORPORATION OF THE CITY OF TORONTO ON FEBRUARY 23, 1987.

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GROUP HOMES AND CRISIS CARE FACILITIES

The Executive Committee submits the communication (February 17, 1987) from the Roncesvalles/Macdonell Residents' Association, the Parkdale Village Ratepayers' Association, and the Parkdale Business Improvement Association, which appears at the end of the Clause.

A joint meeting was held by the Land Use and Neighbourhoods Committees on February 11, 1987, to hear deputations and consider the following topics:

- **Prohibiting For-Profit Group Homes in the City.**
- **Consultation with Provincial and Federal Ministries regarding Funding of For-Profit Group Homes.**
- **Changes in Notification Procedures for Residential Care Facilities and Crisis Care Facilities.**
- **Status of Exodus Link Proposal as a Crisis Care Facility.**
- **Interim Control By-law Prohibiting Commercial Correctional Facilities in Ward 2.**
- **Distancing Provisions between Crisis Care Facilities.**
- **Group Home Monitoring Report.**

The Committees recommend:

1. **That by-laws 438-86, 278-73 and 291-86 not be amended at this time to prohibit for profit group homes and crisis care facilities.**

   (Recommendation 1 of the report dated February 4, 1987, from the Acting Commissioner of Planning and Development).

2. **That City Council advise senior levels of government that, as a matter of principle,** *it has concerns regarding* **group homes and crisis care facilities being funded and operated on a for-profit basis,** *and requests consultation and justification of same.*

   (Recommendation 2, as amended, of the report dated February 4, 1987, from the Acting Commissioner of Planning and Development).

3. **That City Council confirm the appended neighbourhood dialogue guidelines for operators of residential care facilities (group homes) and formally adopt these guidelines for crisis care**

facilities until changes in provincial legislation make it appropriate for the guidelines to be reviewed

(Recommendation 1 of the report dated February 2, 1987, from the Acting Commissioner of Planning and Development).

4. **That the Commissioner of Planning and Development be requested to monitor the decisions of the Provincial Committee on Supportive Community Living and report as appropriate to the Land Use and Neighbourhoods Committees.**

(Recommendation 3 of the report dated February 2, 1987, from the Acting Commissioner of Planning and Development).

5. **That City Council not adopt an interim control by-law to prohibit the establishment of any project such as Exodus Link or any other commercially operated correctional facility in Ward 2.**

(Recommendation 1 of the report dated February 5, 1987, from the Acting Commissioner of Planning and Development).

6. **That City Council request the Solicitor General of Canada and the Ontario Minister of Correctional Services to halt the further placement of correctional crisis care facilities in Ward 2 for a minimum of one year and until the Exodus Link project has been adequately studied and evaluated.**

(Recommendation 2 of the report dated February 5, 1987, from the Acting Commissioner of Planning and Development)

7. **That the Acting Commissioner of Planning and Development in consultation with the Commissioner of Buildings and Inspections and the City Solicitor be requested to monitor the Exodus Link project for one year and report to Neighbourhoods Committee on the terms of reference for a monitoring report within six weeks.**

(Recommendation 3 of the report dated February 5, 1987, from the Acting Commissioner of Planning and Development)

8. **That the Solicitor General of Canada be requested to advise City Council of changes to the program and operations of the Exodus Link project, particularly regarding caseload and the use of the building.**

(Recommendation 4 of the report dated February 5, 1987, from the Acting Commissioner of Planning and Development)

9. **That the distance between any group home, crisis care facility, young offenders facility, ex-psychiatric, parolees or ex-prisoners facilities, be extended from the present requirement to 457 metres (1500 feet).**

10. **That Recommendation 1 of the report (December 30, 1986) from the Acting Commissioner of Planning and Development be amended by changing the distancing provision of 245 metres (800 ft.) to read 457 metres (1500 ft.).**

Amended recommendation would read as follows:

"1. That the City Solicitor be requested to prepare a draft by-law amending By-law 332-78 so that a uniform distancing provision of *457 metres (1500 feet)* is provided between any two crisis care facilities and between any "residential care facility" and "crisis care facilities".

11. **That the operation of residential care and crisis care facilities be regularly assessed by professionals other than Buildings and Inspections and Fire Department's inspection teams.**

12. That specific criteria be established as to the qualifications of the residential care and crisis care operators and employees.

13. That the following Recommendations contained in Clause 14 of Report 2 entitled "Group Home Monitoring Report", which was referred back by Council on January 12, 1987, be received:

(i) That the Acting Commissioner of Planning and Development continue to discuss with the Ministries of Correctional Services, Health, and Community and Social Services, an appeal procedure for citizens concerned about residential care facilities and crisis care facilities in the City of Toronto and that the outreach program concerning residential care facilities and crisis care facilities be mandatory and not just a guideline to be followed.

(ii) That an operator of a proposed residential care facility or crisis care facility be requested to consult the community before securing funding, accommodation and registration.

(iii) That taking into consideration the City of Toronto has more residential care facilities and crisis care facilities than all the municipalities combined in Metro, the Ministries of Correctional Services, Health, and Community and Social Services be encouraged to spread any new facilities outside the City of Toronto.

(iv) That the Provincial Ministries be requested to report on these issues as quickly as possible.

14. That the report (February 6, 1987) from the City Solicitor respecting definition of Exodus Link as Crisis Care Facility, be received for information.

15. That the further report (February 9, 1987) from the City Solicitor respecting prohibiting for-profit group homes in the City, be received for information.

The following motions were voted on and lost:

Moved by Alderman Walker on behalf of Councillor Grys:

1) That the Commissioner of Buildings and Inspections be requested to investigate the possibility of revoking the building permit for Exodus Link at 2050 Dundas Street West.

2) That Recommendation 1 of the report (December 2, 1986) from the Acting Commissioner of Planning and Development contained in Clause 14 of Report No. 2 of the Land Use Committee, entitled, "Group Home Monitoring Report", be amended by adding at the end thereof, "and that enabling Provincial legislation be requested", and that Recommendations 1, as amended, 2, 3, and 4 be adopted.

Amended Recommendation 1 would read as follows:

"1. That the Acting Commissioner of Planning and Development continue to discuss with the Ministries of Correctional Services, Health, and Community and Social Services, an appeal procedure for citizens concerned about residential care facilities and crisis care facilities in the City of Toronto and that the outreach program concerning residential care facilities and crisis care facilities be mandatory and not just a guideline to be followed, and that enabling Provincial legislation be requested".

3) That City Council request the Committee on Supportive Community Living to recommend that prior consultation with affected neighbourhoods be made a condition of the granting of licenses for residential care and crisis care facilities.

(Recommendation 2 of the report dated February 2, 1987, from the Acting Commissioner of Planning and Development)

4) That Recommendation 1 of the report (February 5, 1987) from the Acting Commisssioner of Planning and Development be amended by deleting the word "not" and by adding after the words "interim control by-law" the words "or some other mechanism having a like effect" and to read as follows:

"1. That City Council adopt an interim control by-law or some other mechanism having a like effect to prohibit the establishment of any project such as Exodus Link or any other commercially operated correctional facility in Ward 2".

5) That Recommendation 2 of the foregoing report be amended by deleting the remainder of the sentence after "Ward 2", to read as follows:

"2. That City Council request the Solicitor General of Canada and the Ontario Minister of Correctional Services to halt the further placement of correctional crisis care facilities in Ward 2".

and that Recommendations 1 and 2, as amended, and Recommendation 4 be adopted.

Moved by Alderman Boytchuk:

That the report (February 2, 1987) from the Acting Commissioner of Planning and Development respecting Changes in Notification Procedures for Residential and Crisis Care Facilities be amended by adding the following Recommendations:

"4. That all Residential and Crisis Care facilities should not be placed in the middle of residential communities but should be restricted to arterial roads.

5. That consultation with the community should be mandatory before finalizing arrangements.

6. That elected representatives should be notified of any type of facility intending to locate in his or her Ward".

Moved by Alderman Korwin-Kuczynski:

1. That the City Solicitor be requested to seek an Order under Section 15 of the Building Code Act extending the time in which the City can apply for a hearing and appeal the decision to issue the building permit for Exodus Link, 2050 Dundas Street West.

2. That the Buildings and Inspections Department report to the next Council meeting all information that was used by that department in determining that 2050 Dundas Street West is a Crisis Care Facility.

3. That Group Homes By-law 332-78 be amended at this time to prohibit for-profit group homes and crisis care facilities until the Planning and Development Department reports back after consultation with Federal and Provincial Funding Ministries regarding any plans to fund for-profit group homes and crisis care facilities; and report on the implications of this Funding under a for-profit basis.

4. That the Solicitor General of Canada be requested to advise City Council of changes to the program and operations of the Exodus Link project, particularly regarding caseload and the use of the building.

5. That City Council indicate to the Federal Government that the Exodus Link contract be terminated at the expiry date on March 31, 1987.

The following persons addressed the Committees:

- *Ms. Lucy Wasiuk;*
- *Mr. Gus Sandusky;*
- *Mr. Manuel Costa;*
- *Mr. Michael Melling, Parkdale Tenants' Assoc.;*
- *Ms. Jane Thompson, of Gardiner Roberts;*
- *Ms. Maureen Hyland, President, Roncesvalles Macdonell Residents' Assoc.;*
- *Ms. Barbara Miller, Past President, Roncesvalles Macdonell Residents' Assoc.;*
- *Ms. Linda Feldy, Roncesvalles Macdonell Residents' Assoc.;*
- *Mr. David White, on behalf of Supportive Housing Coalition;*
- *Mrs. Bonnie Varga;*
- *Mr. Albert Steenburgh, Exodus Link Corp.;*
- *Mr. Michael Crowley, Treasurer, International Halfway House Assoc.;*
- *Ms. Mary McConville, Executive Director, Covenant House;*
- *Mr. Chris Emberson;*
- *Mr. Steven Magwood, President, High Park Homeowners' and Residents' Assoc.;*
- *Mr. Owen Leach, on behalf of Committee of Progressive Electors;*
- *Ms. Sheila Lippiatt;*
- *Mr. Michael Provan, Correctional Services of Canada;*
- *Mr. Martin Amber;*
- *Mr. Andy Wasiuk;*
- *Mr. Iwan M. Jugley;*
- *Ms. Janice Edwards;*
- *Ms. Lisa Roskoss;*
- *Mr. Z. Uznanski; and*
- *Ms. Annie Murphy.*

Councillor Grys also addressed the Committee.

PROHIBITING FOR-PROFIT GROUP HOMES IN THE CITY AND NOTIFICATION PROCEDURES

The Committees submit the report (February 9, 1987) from the City Solicitor:

Subject: "Prohibiting For-Profit Group Homes in the City"

Origin: Land Use Committee Meeting of January 13, 1987 (c06luc87213:169)

Comments: At its above-noted meeting, the Land Use Committee had before it the report dated January 5, 1987, of the Acting Commissioner of Planning and Development respecting amending By-law 332-78 (the City's "Group Homes By-law"), to prohibit for-profit group homes and for-profit crisis care facilities in the City. The Land Use Committee deleted recommendation 1 of the Acting Commissioner's report (being that the "Group Homes" By-law not be so amended at this time) and asked me to report, on "the possibility of prohibiting for-profit group homes and for-profit crisis care facilities" under the Zoning By-law.

A canvass of the City's powers under Provincial Legislation would appear to limit any authority of the City to "prohibit for-profit group homes and for-profit crisis care facilities" to the Planning Act. Section 34 of the Planning Act provides that Zoning By-laws may be passed by the Councils of local municipalities for amongst other things prohibiting the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the By-law within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway.

The City's powers under Section 34 are limited by Sections 24 and 27 of the Planning Act which provide that Zoning By-laws must be in conformity with the Metro and City Official Plans.

In this case, the City Official Plan is basically silent on the point at issue in this report. However, the approved Metro Plan provides in Section F thereof that "area municipalities shall ensure that group homes are recognized as a permitted use in all residential areas" and that any Zoning By-laws must be amended to recognize group homes as a permitted use in all residential areas although there may be provisions specifying:

(a) the distance by which one group home may be required to be separated from another;

(b) the type of dwelling unit in which a group home is permitted;

(c) the maximum number of residents permitted in a group home in accordance with objectively established residential occupancy standards pertaining to residential dwellings in residential areas; and

(d) that correctional group homes are restricted to properties abutting arterial roads in certain residential areas.

"Group home" is defined in the Metro Official Plan as "a supervised single housekeeping unit in a residential dwelling for the accommodation of three to ten persons, exclusive of staff, who by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being, and:

"(i) the members of the group are referred by a hospital, court, governmental agency, or recognized social services agency or health professional; and

(ii) such facility is funded wholly or in part by any government, other than funding provided solely for capital purposes, or such facility is licensed or approved under Provincial Statute."

Therefore, it would not be possible to prohibit a Group home as defined by Metro, be it for-profit or non-profit in a residential area of the City although it is possible to prohibit for-profit group homes in non-residential areas of the City subject to the proviso that is discussed below. Further, there may be cases in which certain "residential care facilities" or "crisis care facilities" as defined in the City's Zoning By-law are not "Group homes" as defined by Metro. However, if Council is interested in exploring further this particular matter of prohibition of for-profit group homes and crisis care facilities in residential areas, then it will be necessary to clearly delineate purposes which fall within and outside of the definition of "group home" under the Metro Plan.

Therefore, as stated, unless the Metro Plan is amended to permit otherwise or unless there are clear definitions with respect to facilities that fall within the perspective of the Metro Plan and those that do not, then it would not be possible to prohibit for-profit group homes and for-profit crisis care facilities in residential areas.

As far as non-residential areas are concerned, it is my opinion that the language of Section 34 of the Planning act is broad enough to enable Council to classify residential care facilities and crisis care facilities in terms of "for-profit residential care facilities" and "for-profit crisis care facilities" and then to prohibit any or all of these purposes in any or all of the non-residential districts that Council has established as defined areas in the Zoning By-laws PROVIDED there is planning evidence to support the prohibition of any of those particular uses in any of those particular areas.

Indeed, City Council in the enactment of its General Zoning By-law 438-86 for example has distinguished purposes based on the concept of "for-profit" and "non-profit". I would point you to such purposes as "boarding or lodging house", "commercial bakery", "commercial school", "commercial stable", "nursing home", "convalescent home", "rest home", "parking lot", "private home day-care" where the definition of the purposes in the By-law utilizes language such as "for hire or gain" whereas indeed in some cases, such as "parking lot" versus "private garage" we have a similar purpose with the only difference being that in the former, the language "for hire or gain" is used whereas the latter is defined as one in which no service for profit is rendered. On the other side of the equation one will also see purposes such as

"charitable institution", "non-profit institution", "public museum", "play lot", all of which talk in terms of non-profit. Then there is "club" which includes in its definition "whether or not operated for profit". Thus, City Council in the past has, (I presume with supporting planning evidence) distinguished certain uses by virtue of whether a use was a "for-profit" purpose or a "non-profit" purpose.

With regard to residential care facilities and crisis care facilities, I would quote from the Acting Commissioner of Planning in his report of January 5, 1987, and would recommend to Council that Council heed his advice in determining whether to reclassify residential care facilities and crisis care facilities into two purposes each, i.e., for-profit AND non-profit AND in determining whether to establish prohibitions in any non-residential area or areas based on such separate classification:

> "The basic planning concerns are such matters as impact on the community and adjacent land uses. To justify a prohibition on planning grounds, one must assess what impact for-profit group homes would have compared to a non-profit facility of the same type."

In that particular report of January 5th, the Acting Planning Commissioner concludes that based on information available to him to date, there is no evidence to conclude that for-profit residential care facilities (group homes) and crisis care facilities would produce any different impacts than similar non-profit facilities. In the absence of such evidence, it would be very difficult to sustain a zoning prohibition strictly based on "for-profit" versus "non-profit" as Zoning By-laws in establishing prohibitions must be concerned with physical land use impacts and not social policy.

In summary then, where a facility falls within the definition of "group home" in Metro's Official Plan, it is not possible for Council to prohibit such group homes in residential areas, be they for-profit or non-profit WITHOUT an amendment to the Metro Official Plan to permit otherwise. For non-residential districts, it may be possible to reclassify "residential care facilities" and "crisis care facilities" as "for-profit" and "non-profit". However, it would only be possible for Council to prohibit for-profit group homes, for-profit residential care facilities or for-profit crisis care facilities in non-residential areas provided Council receives planning evidence that indicates there is a detrimental difference from a land use point of view in terms of "impact on the community and adjacent land uses" between for-profit facilities and non-profit facilities. At the moment, my information is that Council has not had such planning evidence placed in front of them. Indeed the only planning report that has been made available is the report of the Acting Commissioner of Planning of January 5, 1987, which would be to the contrary.

Recommendation: That this report be received for information.

The Committees also submit the report (February 4, 1987) from the Acting Commissioner of Planning and Development:

Subject: Consultation with Federal and Provincial Funding Ministries and Facility Operators Regarding For-Profit Group Homes and Crisis Care Facilities.

Origin: Land Use and Neighbourhoods Committees (c71luc87055:48)

Comments:

On January 14 and 15 I reported to the Land Use and Neighbourhoods Committees respectively on the appropriateness of amending the Zoning By-law to prohibit for-profit group homes and crisis care facilities. I indicated that there was no planning evidence to support such a prohibition. This report originates from a motion of those meetings requesting me to consult with Federal and Provincial funding ministries and with facility operators regarding any plans for funding for-profit group homes and crisis care facilities in the City of Toronto.

Summary

For-profit group homes have been established in the City prior to and after the City's group homes by-law was adopted in 1978. There are currently 19 for-profit group homes in the City of Toronto. Most of these are group homes for children. There is one for-profit crisis care facility.

The federal government supports commercialization of some government services through for-profit group homes and crisis care facilities. Evaluations are under way at this time to ensure the best care is given by commercial operators.

The provincial ministries do fund for-profit operators, under strict requirements of budget, inspections, and program. They report that in most cases, for profit operators are monitored more carefully than non profit operators but that good quality care is provided. Both the federal and provincial governments consider for-profit group homes or crisis care facilities to be a valid service delivery option. In all likelihood they will continue to fund them and would oppose their prohibition. Enquiries by operators about sites for facilities do not indicate a significant increase in the number of for-profit projects being planned.

Recommendations:

1. That by-laws 438-86, 278-73 and 291-86 not be amended at this time to prohibit for profit group homes and crisis care facilities.
2. That if City Council wishes, it could advise senior levels of government that, as a matter of principle, it is opposed to group homes and crisis care facilities being funded and operated on a for-profit basis.

Comments:

1. Distribution of For-Profit Group Homes in City

   As of January 1, 1987, the City of Toronto had 110 residential care facilities (group homes) and 36 crisis care facilities. Nineteen of the group homes are operated for-profit while one of these crisis care facilities is intended to be operated by a for-profit corporation.

   The establishment of for-profit group homes is not new to the City. A total of 14 for-profit group homes were in existence prior to the establishment of the City's group homes policy in 1978, while five additional for-profit group homes have been established since 1978.

   At this time, few complaints have been received about any of these for-profit group homes, which are most commonly homes for children, but include homes for young offenders and discharged psychiatric patients. Table 1 indicates the placement of these homes in the City.

   The only for-profit crisis care facility is located in Ward 2, for ex-offenders. It has not yet begun operation. Although this project has caused considerable controversy, its effect on the neighbourhood cannot be determined at this time.

   Chart 1

For-Profit Group Homes - City of Toronto
(January 1, 1987 - By Client Group and Ward)

Ward	Group Homes for Children	Group Homes for Young Offenders	Group Homes for Ex-psychiatric Patients
1	1	0	0
2	1	0	1
3	1	0	1
4	0	0	0
5	7	0	1
6	0	0	0
7	0	0	0
8	2	2	0
9	2	0	0
10	0	0	0
11	0	0	0
Total For-Profit Group Homes in City	14	2	3

2. Comments of Funding Agencies

A. Correctional Services Canada

According to Correctional Services officials the federal government supports the provision of some public services on a for-profit basis. Christa Freiler, Program Director at the Social Planning Council of Metropolitan Toronto, points out in a recent report that there is an increased interest at the federal level in expanding the involvement of business in delivering social, health and correctional services. Several reports have been commissioned and a task force has been established to examine how the commercial sector can play a greater role. Most recently, the Neilson Task Force in March 1986 recommended the further commercialization of correctional services, such as after care programs. Federal funding of the Exodus Link proposal indicates an acceptance of the Neilson Task Force's philosophy. It would be reasonable to anticipate additional for-profit facilities under federal sponsorship if those now being implemented prove to be viable.

At this time Exodus Link is the only for-profit operator of federal correctional programs. Other correctional services are provided on a non-profit basis by Operation Springboard, formerly a part of the John Howard Society. My staff have been told that these facilities will be evaluated before any others are contracted out.

B. The Provincial Ministries

The Ministries of Correctional Services, Health, Community and Social Services and Housing provide funding for group homes. Funding is not available to for-profit operators through the Non-Profit Housing Program of the Ministry of Housing for rehabilitation or housing. The other Ministry officials indicated that they did contract with for-profit agencies.

The Children's section of the Ministry of Community and Social Services had the largest number of for-profit operators (fourteen). The Ministry of Health and Correctional Services fund three and two for-profit facilities respectively. However, for-profit operators were not used in the Adults services section of the Ministry of Community and Social Services.

Provincial officials report that there is no initiative by their ministries to significantly increase the commercialization of their services. Contracts are awarded by the type and quality of service provided, as well as the cost. This requires the commitment of the responsible Ministry to ensure that quality service is maintained in all group homes.

According to Ministry officials the requirements of the for-profit operator to deliver quality services are as stringent as those of the non-profit operators. They both must operate under the same legislation, regulations and monitoring procedures. All inspections are required for commercial operators as well as non-profit agencies. I am advised that in practice, budgets and accounts of for-profit operations are often more closely scrutinized than those of non-profits. Close regulation by the Province appears to be an essential ingredient in maintaining service standards.

At this time there are other reasons that for-profit operators are able to secure contracts. Because the Province does not have a comprehensive capital funding program for facilities, little start-up money is available to group home operators. According to officials at COMSOC, an operator must be prepared to spend approximately $250,000 before provincial operating funds begin to flow. This money is spent on a house, employees, retrofitting, furniture and a van for the facility. In addition, operators typically have to carry the payroll for two months until all provincial approvals are secured. For-profit operators have this money available. This enables the Province to deliver services without having to bear all the capital costs of start-up. Provincial officials also maintained that, to some degree, competition between operators resulted in reduced administrative overhead.

These reasons, and the belief that for-profit operators are sufficiently regulated, suggest that the Province would not favour prohibiting commercially run group homes or crisis care facilities.

From a planning perspective, there is little evidence that for-profit group homes have different land use, community or service impacts than their non-profit counterparts. However, City Council may wish to advise the senior levels of government that, as a matter of principle, it is opposed to group homes and crisis care facilities being funded and operated on a for-profit basis.

3. Trends in the City of Toronto

At this time, there does not appear to be a trend towards for-profit operators to locate in the city. Other than the crisis care facility which is in the process of opening in Ward 2, there are no other for-profit organizations looking for sites for group homes or crisis care facilities at this time.

4. Conclusions

From a planning perspective the for-profit group homes in the City of Toronto have similar service quality standards, community and land use impacts as non-profit group homes. There is only one for-profit crisis care facility and its impact cannot yet be determined. According to Ministry representatives, for-profit operators generally provide good quality care, at competitive costs. When these facilities are closely regulated in terms of budget, program and inspections, the senior levels of government believe that they represent a valid option for the delivery of community based housing.

Recommendations:

1. That by-laws 438-86, 278-73 and 291-86 not be amended at this time to prohibit for profit group homes and crisis care facilities.
2. That if City Council wishes, it could advise senior levels of government that, as a matter of principle, it is opposed to group homes and crisis care facilities being funded and operated on a for-profit basis.

The Committees also submit the previous report (February 2, 1987) from the Acting Commissioner of Planning and Development:

Subject: Changes in Notification Procedures for Dealing with Residential Care Facilities and Crisis Care Facilities

Origin: Acting Commissioner, Planning and Development Department (c71luc87012:48)

Summary: Members of City Council have expressed concern about the way in which political representatives and the public are informed about proposals for group homes and crisis care facilities. I have been requested to determine the viability of a citizens' appeal procedure and mandatory consultation prior to the time that a facility permit is issued.

I have also been asked to consult the Province about policies to ensure that facilities are distributed equitably throughout the Metro Area.

Conclusions: Provincial officials generally agreed that a citizens' appeal procedure called into question the ability of these facilities to locate as-of-right. According to the staff of the various ministries, the Province supports as-of-right zoning and would favour something other than an appeal procedure to deal with citizens complaints.

Making prior consultation mandatory is not within the City's power, but the Province could make it a condition of granting licenses to facilities. The Province acknowledged that consultation can be improved and the interministerial Committee on Supportive Community Living is reviewing various options. If City Council wishes, it could request that this committee recommend that prior consultation be made a mandatory condition of licensing group homes and crisis care facilties. Until provincial legislation is changed, I recommend that the City's voluntary guidelines be maintained.

Trends within the supportive housing sector show that the majority of Metro's new group homes and crisis care facilities are being established outside the City of Toronto in the suburban municipalities. Internal policies within the Provincial funding ministries encourage this, so I expect the trends to continue.

Recommendations:

1. That City Council confirm the appended neighbourhood dialogue guidelines for operators of residential care facilities (group homes) and formally adopt these guidelines for crisis care facilities until changes in provincial legislation make it appropriate for the guidelines to be reviewed.

2. That, if City Council wishes it could request the Committee on Community Supportive Living to recommend that prior consultation with affected neighbourhoods be made a condition of the granting of licenses for residential care facilities (group homes) and crisis care facilities.

3. That the Acting Commissioner of Planning and Development be requested to monitor the decisions of the provincial Committee on Supportive Community Living and report as appropriate to the Land Use and Neighbourhoods Committees.

1. Background

This report originates from motions adopted by the Land Use Committee at its December 17, 1986 meeting in response to my Group Home Monitoring Report of December 2, 1986.

At its December 18 meeting the Neighbourhoods Committee also considered the Group Home Monitoring Report and received it in view of the motions adopted by the Land Use Committee as follows:

1. That taking into consideration that the City of Toronto has more residential care facilities and crisis care facilities than all the combined municipalities in Metro, that the Ministries of Correctional Services, Health and Community and Social Services be encouraged to spread any new facilities outside the City of Toronto.

2. That the Planning and Development Department continue to discuss with the Ministries of Correctional Services, Health and Community and Social Services, an appeal procedure for citizens concerned about residential care facilities and crisis care facilities in the City of Toronto, and that the outreach program concerning residential care facilities and crisis care facilities be mandatory and not just a guideline to be followed.

3. That a possible operator of a residential care facility or crisis care facility be requested to consult the community before securing funding, accommodation and registration.

4. That the Provincial ministries be requested to report on these issues as quickly as possible.

I am reporting on the implications of these motions because your Committees are currently considering other reports from my Department on residential care facilities (group homes) and crisis care facilities.

Members of Council have demonstrated a serious concern about the adequacy of current procedures for regulating these facilities in light of the controversial proposal for an ex-offenders centre at 2050 Dundas Street West. The motions adopted by Land Use Committee imply a substantial change in current procedures. Consequently, the implications must be clarified.

2. New Facility Starts Outside the City of Toronto

In my 1986 Group Home Monitoring Report I described the trends which were evident in the residential care facility (group home) sector in 1985-86. In 1985 nine group homes were established in the City and in 1986 five were initiated.

In Metropolitan Toronto there is clearly a trend toward establishing most new group homes outside the City of Toronto in the suburban municipalities. While Toronto still contains the

largest number of group homes, it no longer receives the largest number of enquiries. In 1986 Scarborough had ten group home starts (twice as many as the City) while Etobicoke had two, East York one and North York and York had enquiries but no official starts.

Discussions with provincial officials confirm that the principal funders, the Ministries of Community and Social Services, Correctional Services and Health have internal policies which encourage the distribution of group homes across Metro. There is clear recognition among senior staff in these ministries that the City of Toronto has been a leader in accommodating group homes and that other Metro municipalities must increasingly share this responsibility. Ministry officials also acknowledged that greater geographic distribution of facilities is essential to ensure adequate access to service by clients across Metro.

While operators looking for sites in suburban areas are sometimes confronted by less suitable housing stock and relatively higher prices for properties than in the City, I am confident that the trend towards greater distribution of facilities across Metro will continue. My staff have already had discussions with officials from the Province and other Metro municipalities on this matter and these will continue.

3. Citizens' Appeal Procedure

Provincial officials generally agreed that an appeal procedure called into question the ability of these facilities to locate as-of-right. City zoning by-laws permit residential care facilities to locate as-of-right in Residential areas and allow crisis care facilities to locate as-of-right in Commercial and Commercial-Residential areas. According to the ministries' officials, if citizens were allowed to appeal the location of a facility and to prevent it from being established when it complied with zoning regulations, then the as-of-right principle would be undermined. On the other hand, if an appeals procedure were established which had no authority to quash a location decision, then the procedure would be meaningless.

The ministries strongly support the as-of-right principle and therefore view a citizen's appeal procedure as unworkable. While there is also strong support at the Province for informing and consulting with citizens, the view is that this must be balanced with the ministries' statutory obligations to house people in crisis. In short, facility operators must have the right to establish operations once provincial licensing criteria have been met and local by-laws have been complied with.

4. Mandatory Community Outreach and Consultation

If a proposed residential care or crisis care facility would comply with the Zoning By-law and the Building Code, then the proponent has a right to receive a building permit and use the premises in that manner.

The Province of Ontario could, as a condition of and before granting a licence for a residential care or crisis care facility, require the proponent to carry out a specified program to advise the affected neighbourhood. Consideration could be given to requesting the Province to impose such a condition. However, as a practical matter, mandatory prior consultation would require operators to risk a public involvement exercise without any assurance of funding or licensing protection. Because a proponent who complies with the Zoning By-law and the Building Code has a right to establish and operate a facility without meeting any further municipal requirements, the City cannot impose a mandatory consultation requirement. If the Province were to require neighbourhood consultation as a condition to receiving a licence, then the City's voluntary guidelines might become redundant. In the absence of any change in Provincial legislation, the City's voluntary guidelines remain a useful instrument for neighbourhood planning.

Significantly, in other parts of Metro, municipalities do not do outreach at all. The prevailing view is that once as-of-right zoning is in effect, community consultation is not essential.

5. Consultation About Site Enquiries

In addition to adopting the Land Use Committee motions being addressed here, the Neighbourhoods Committee asked that I report on establishing a policy of informing political representatives about all enquiries made by facility operators about sites in their ward.

In considering such a policy it is important to recognize that the number of facilities actually established is a very small proportion of the total enquiries. While five new group homes were established during all of 1986, this was the result of over four hundred and fifty enquiries. The ratio of enquiries to newly established facilities is over seventy-five to one.

This is because many enquiries are made about properties that do not comply with the zoning requirements; operators must contact my staff to determine this. Other properties may be in compliance but are later rejected because they are too costly or do not meet Fire, Public Health or Building standards. Still others may be acceptable to the operator and conform to local by-laws, but are ultimately rejected because they do not meet Provincial licensing criteria.

To be suitable for residential care or crisis care facilities a property must meet numerous financial, regulatory and therapeutic conditions. Inevitably this involves the operator in a lengthy property search. As a practical matter then, it would be difficult to implement an effective consultation at the enquiry stage. Since most enquiries do not result in new facilities, information about such enquiries is of limited value and could be misleading.

Ultimately a facility operator's location decision is based on a variety of factors, only some of which are subject to the City's control. Under these conditions it will always be difficult for my department to predict which enquiries will yield new facilities. Therefore I would not recommend a policy of consultation at the enquiry stage. The practice of encouraging dialogue along the lines of current policy is more viable.

6. Provincial Interministerial Committee

The Province has recognized that there needs to be considerable improvement in the ways in which municipalities and citizens groups are consulted about a broad range of community based housing facilities.

An interministerial committee has been established to report on a variety of issues affecting these facilities including funding, service delivery standards, licensing, land use policies and municipal and neighbourhood consultation. This group, called the Committee on Supportive Community Living, includes the Ministries of Housing, Health, Community and Social Services, Correctional Services, Municipal Affairs, the Office of Seniors' Affairs and the Secretariat for Disabled Persons.

I have been advised that strategies for improving procedures for municipal and neighbourhood consultation are being developed by the Committee. These options are to be discussed with municipalities sometime in the Spring although the timetable is not definite.

In light of the potentially broad impact of this Committee's work on residential care facilities and crisis care facilities across the Province, it seems premature at this time for Council to initiate any changes in the City's current outreach and community consultation guidelines. I recommend that the City's neighbourhood dialogue guidelines be confirmed and that they be formally adopted for crisis care facilities. My staff apply these guidelines to both group homes and crisis care facilities, but they have only been formally adopted for group homes. I also recommend that I monitor the Committee on Community Supportive Living and report its decisions as appropriate to the Land Use and Neighbourhoods Committee. If City Council wishes, it could request that the Committee on Supportive Community Living to recommend that prior consultation with affected neighbourhoods be made a condition of the issuance of licenses for residential care and crisis care facilities.

7. Consultations with Provincial Ministries

I have written to the Ministries of Health, Community and Social Services and Correctional Services and to the Committee on Supportive Community Living for comments on the matters addressed in this report. I will advise the Land Use and Neighbourhoods Committees about the comments that are received.

Recommendations:

1. That City Council confirm the appended neighbourhood dialogue guidelines for operators of residential care facilities (group homes) and formally adopt these guidelines for crisis care

facilities until changes in provincial legislation make it appropriate for the guidelines to be reviewed.

2. That, if City Council wishes, it could request the Committee on Supportive Community Living to recommend that prior consultation with affected neighbourhoods be made a condition of the granting of licenses for residential care and crisis care facilities.

3. That the Commissioner of Planning and Development be requested to monitor the decisions of the provincial Committee on Supportive Community Living and report as appropriate to the Land Use and Neighbourhoods Committees.

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APPENDIX

Group Home Operator's Neighbourhood Dialogue Guidelines

1. Once an operator has secured funding through the appropriate Ministry and the home has been registered by the City, the operator should commence community dialogue immediately. In the period after securing funding, accommodation and registration, and before the start of operation of the facility, neighbours should be told about the program.

2. The operator should employ methods for neighbourhood dialogue which are most applicable to the situation. The operator may wish and, indeed, is encouraged to employ his/her own particular methods, so long as a dialogue occurs.

   The following methods are suggestions and can be employed alone or in combination:

   a) Contact with the Mayor and Ward Aldermen, apprising them of all details of the program, in order to secure general support for the program;

   b) Mailing of a personal letter from operator (Executive Director, House Director, sponsoring agency director or manager, president or member of board of directors or community advisory committee) to immediate neighbours announcing the program; details of the program (i.e. its objectives, screening and selection criteria, degree and kind of supervision, expertise of staff, and opening date); and, the names, addresses and telephone numbers of operator's liaison persons.

   c) Personal meetings by any of the actors identified in (b) with neighbours in their own homes to announce the program, supply all relevant information and answer any questions.

   d) Presentation at a neighbourhood meeting sponsored by neighbours of local residents' association or the operator and chaired by a local representative such as a minister, school principal, residents' association president, ward aldermen or school board trustee. It would be advisable that one has an agreed upon agenda and procedure for conducting the meeting. Attendance at the meeting should include as many of the actors identified in (b) as possible.

   e) Announcement of program at local religious services.

   f) Appointment of neighbours to board of directors, where applicable.

   g) Establishment of a local community advisory committee of neighbours to advise on:

      i) property maintenance;

      ii) residents' conduct in the neighbourhood;

      iii) residents' involvement in neighbourhood activities and organizations;

      iv) staff involvement in neighbourhood activities and organizations.

h) Immediate response, on a one-to-one basis, to any concerns neighbours may have about the facility or residents. Be prepared to answer the questions which most residents ask (Appendix D).

i) Invitation to neighbourhs to visit other residential programs.

Although Council does not have the legislative authority to require that group home operators initiate a neighbourhood dialogue program, by-laws and mandatory requirements are not the answer. The abovementioned guidelines are reasonable actions that Toronto residents can expect group home operators to undertake voluntarily. These guidelines place a clear onus on operators and their sponsoring agencies to make neighbourhood dialogue a priority. This will ensure that operators are cognizant from the outset of their roles as good neighbours. This is in keeping with the accepted practice of community consultation in neighbourhood planning in Toronto.

The Committees also submit the communication (December 9, 1986) from Councillor Grys:

As you are undoubtedly aware, an organization called Exodus Link is on the verge of opening a crisis care facility at 2050 Dundas Street West in Ward 2.

While the details of this proposal are not relevant with respect to this communication, let it suffice to say that the proposal has exposed two serious flaws in the neighbourhood dialogue guidelines adopted by City Council on April 2, 1983.

Currently, Council's policy suggests that..."once an operator has secured funding through the appropriate Ministry and the home has been registered by the City, the operator should commence community dialogue immediately...".

The first problem is that this policy is geared exclusively towards group home operators. Crisis care facility operators should also be included.

Secondly, the municipal elected representatives should, as a matter of policy, be apprised from the outset of any discussions with city staff respecting the establishment of a residential or crisis care facility in the Ward represented by those individuals. This has not happened in this case and the result is that community consultation with respect to Exodus Link's proposal has not been complete and has certainly occurred at the proverbial "11th hour". Frankly, this is not in keeping with the accepted practice of community consultation in neighbourhood planning in Toronto. I am therefore recommending the following:

a) That crisis care facilities be officially included in the City's neighbourhood dialogue guidelines;

b) That the Ward representatives, as a matter of policy, be advised of ALL enquiries and discussions respecting the establishment of a residential care facility or a crisis care facility in their Ward.

PROHIBITNG FOR-PROFIT GROUP HOMES IN THE CITY

The Committees submit the report (January 5, 1987) from the Acting Commissioner of Planning and Development:

Subject: Amendment to By-Law 332-78 to prohibit for profit group homes and crisis care facilities in the City of Toronto.

Origin: City Council, December 15, 1986 (c71luc87002:52)

Comments:

Summary

On December 15, 1986, Council requested me to report on the prohibition of for-profit group homes in the City. This request resulted from a proposal for a crisis care facility for parolees at 2050 Dundas Street West. While I was requested to report on for-profit group homes, it is

important to point out that By-Law 332-78 deals with both crisis care facilities and group homes. Crisis care facilities provide short-term emergency accommodation while group homes (residential care facilities) provide long-term housing. My report looks at prohibiting for-profit crisis care facilities and for-profit group homes since they are both regulated by the same by-law.

As 2050 Dundas Street West is the only example of a for-profit crisis care facility in the City, I have spent considerable time in learning how this facility will function and how it may differ from a similar non-profit facility. Based on the information available, I do not find any evidence to conclude that this for-profit crisis care facility for parolees would produce any different impact than a similar non-profit facility. Although, as a matter of social policy, Council may wish to prohibit for-profit group homes or for-profit crisis care facilities, at this time there is no planning evidence to support such a prohibition. Should Council wish to proceed with prohibiting for-profit group homes and for-profit crisis care facilities, the City Solicitor has requested that he be given an opportunity to report.

Recommendation:

1. That Group Homes By-Law 332-78, not be amended at this time to prohibit for-profit group homes and crisis care facilities.

2. That I be requested to report back to your Committees regarding this matter once I have had sufficient time to consult with Federal and Provincial funding ministries regarding any plans to fund for-profit group homes, and the facility operators.

Comments:

1. Background

On December 15, 1986, City Council debated the proposed establishment of a crisis care facility to be located at 2050 Dundas Street West in Ward 2.

This proposed facility created a great deal of controversy due to the client group to be served, released offenders from Federal penitentiaries. However, the proposal, known as Exodus Link, was also distinctive in that it represented the first "for-profit" crisis care facility to be established in the City.

2. Provisions in By-Law 332-78

By-Law 332-78, as amended, governs the establishment of both a "residential care facility" (group home) and a "crisis care facility" in the City.

In brief, the By-Law does not make a distinction between non-profit or for-profit facilities. The By-Law outlines the number of residents permitted (in group homes but not crisis care facilities), makes provision for supervision, source of funding and establishes distancing provisions.

At present, there are approximately 10 for-profit group homes in the City of Toronto serving various client groups including children, the mentally retarded and young offenders. The emergence of the first for-profit crisis care facility by Exodus Link Corporation in December of 1986 has created a need to investigate the situation.

3. The Exodus Link For-Profit Proposal

In the short time available during the holiday season, planning staff met with officials of the Exodus Link facility. Highlights of these discussions include the following:

(a) Current Problem

Many released offenders live in the community in half-way houses which are a type of group home. There are not enough beds in half-way houses to accommodate the number of offenders being released on parole. A high percentage of parolees do not need to occupy beds as they have a job and a permanent residence. The major need is for more intensive supervision and counselling which can be made available without parolees actually living in half-way houses. The Exodus Link crisis care facility proposes to meet this need.

(b) Normal Half-Way House Concept

The released offender is normally assigned to the half-way house on a 6 month day parole. That means that the individual lives at the facility.

At first, a tight curfew is set which gradually is relaxed over time. Within a month, the ex-offender is usually employed and starting to re-establish his or her home connections.

Normally, the resident is only required to sleep at the half-way house between 12 midnight and 6:00 a.m. The remainder of the day, the individual is at work or in their home. In fact, it is not unusual for an ex-offender to leave the half-way house at 6:00 a.m., go home to be with members of the family for breakfast, go to work and return home in the evening. Under this arrangement, the ex-offender is only sleeping at the half-way house. The government pays a full per diem rate to the operator.

(c) Exodus Link Concept

i) Residents vs. Attendees

Under the concept proposed by Exodus Link, the ex-offender is either classified as a resident, or as an attendee. A resident sleeps at the facility while an attendee does not. An attendee must report on a regular basis for specific counselling services as a condition of parole. Such counselling could include alcohol awareness, drug awareness, job search assistance, family enrichment, literacy training, recreation, and community volunteer work.

In short, the attendee concept caters to offenders who are on parole but who do not require a half-way house setting due to a strong existing support network of family and employment.

ii) Cost Savings

The cost savings to Correctional Services of Canada is represented by the difference between a $47.00 per diem rate for parolees living in the facility and an $18.00 per diem rate for attendees.

Correctional Services of Canada approves the operating budget each year and includes a pre-set profit as a line item in the budget. It is my understanding that the pre-set profit is similar to an administration fee a non-profit operator would receive from a funding source. This amount is guaranteed. No individual funds are invested by the Corporation established to operate the facility.

Correctional Services of Canada has indicated that the Exodus Link proposal was approved due to its innovative nature and the ability of the facility to offer an extensive array of programmes. The distinction between residents and attendees allows for a high volume of individuals to receive more services for less money as all funds are not being allocated to the full day rate for beds.

iii) Staffing Levels

As the profit margin is part of the actual operating budget and is guaranteed by Corrections Canada, a reduction in staffing levels due to a lack of profit does not appear to be likely. In fact, the programme standards and quality of staffing seem to be quite high. Staff hired for the Exodus Link proposal have been recruited from the Corrections field. Wages are substantially in excess of those paid by the non-profit operators.

iv) Monitoring of Service

Due to the high degree of supervision associated with parolees, Corrections Canada will require daily contact between Federal Parole Officers in Toronto and the Exodus Link staff. In addition, a Correctional Services of Canada Review Board will review the programme every 2 months and an indepth evaluation will be conducted once a year.

On the local level, my understanding is that a Community Advisory Board comprised of 12 individuals will be established in January. It is scheduled to meet quarterly with a sub-committee undertaking a yearly evaluation to be sent directly to Correctional Services of Canada.

4. Other Federal and Provincial Government Ministry Plans to Establish For-Profit Group Homes

In the limited time available to canvas the relevant funding ministries, it has not been possible to determine if other for-profit group homes or crisis care facilities are contemplated. I understand that the Ontario Ministry of Correctional Services and the Ontario Ministry of Community and Social Services have provided funding to approximately 10 residential care facilities in the City of Toronto. Young offenders, children and the mentally retarded are served in these for-profit group homes, however, I have not had an opportunity to obtain information on these facilities.

5. Planning Issues in Prohibiting For-Profit Group Homes

Council has considerable experience with the pros and cons of permitting many non-profit and for-profit uses. Housing, nursing homes and most recently day care are uses which have been and will be the subject of policy debates.

The basic planning concerns are such matters as impact on the community and adjacent land uses. To justify a prohibition on planning grounds, one must assess what impact for-profit group homes would have compared to a non-profit facility of the same type.

A principal issue in this concern would be to ensure the maintenance of a high level of service and high quality of staff. In a for-profit facility, a decrease in profits could theoretically result in a cut in staff. This in turn could reduce the level of care and quality of programmes being offered and lead to a negative impact on the community.

Based on my understanding of the Exodus Link for-profit crisis care facility and given the reality of tight controls associated with Correctional facilities, there appears to be a difference between the way in which group homes or crisis care facilities for parolees are scrutinized and other types of group homes. The ex-offenders are still under sentence while in the crisis care facility and can be returned to penitentiary. This condition does not apply to other group home or crisis care facility arrangements. Also, under the funding arrangement from Correctional Services of Canada, the profit margin represents a built-in line item in the budget that is part of the guaranteed funding.

Based on the Exodus Link facility, the only example of a for-profit "crisis care facility", I do not find any evidence that the for-profit crisis care facility would generate any different impact than a similar non-profit "crisis care facility". Both are governed by the same provisions of By-Law 332-78. I therefore recommend that the Group Homes By-Law not be amended at this time to prohibit for-profit facilities for parolees.

However, the operation of a for-profit group home and crisis care facility for other types of client groups might create serious concerns. These may be similar to the operation of for-profit nursing homes which have raised numerous issues associated with quality of care, level of service and potential impacts on the surrounding community. Because a number of for-profit group homes have been operating in the City on a relatively sound basis, I am also recommending that I be requested to report back to your Committees once I have had sufficient opportunity to consult with the various Federal and Provincial funding providers, and the facility operators regarding their organizations and future plans. Should Council wish to proceed with prohibiting for-profit group homes and for profit crisis care facilities, the City Solicitor has requested that he be given an opportunity to report.

Recommendations:

1. That Group Homes By-Law 332-78, not be amended at this time to prohibit for-profit group homes and crisis care facilities.
2. That I be requested to report back to your Committees regarding this matter once I have had sufficient time to consult with the Federal and Provincial funding Ministries regarding any plans to fund for-profit group homes and the facility operators.

The Committees also submit the communication (January 16, 1987) from the Secretary, Neighbourhoods Committee:

At its meeting held on January 15, 1987, the Neighbourhoods Committee had before it, the report (January 5, 1987) from the Acting Commissioner of Planning and Development addressed to both the Land Use and Neighbourhoods Committees regarding Amendment to By-law 332-78 to prohibit for profit group homes and crisis care facilities in the City of Toronto.

The Committee also had before it the following communications respecting this matter:

- (January 12, 1987) from Exodus Link Corporation
- (January 14, 1987) from the Secretary, Land Use Committee, forwarding that Committee's decision of January 13, 1987.

The Neighbourhood Committee concurred with the action taken by the Land Use Committee, as follows:

1. The Committee deleted Recommendation 1 in the report and requested the City Solicitor in consultation with the Acting Commissioner of Planning and Development to report on the possibility of prohibiting for-profit group homes and for-profit crisis care facilities.
2. The Committee also requested the Acting Commissioner of Planning and Development to consult with the Federal and Provincial funding Ministries regarding any plans to fund for-profit group homes, and with the facility operators, and to report to the Land Use Committee for its February 11, 1987 meeting at which time deputations will be heard.

The Committees also submit the communication (January 14, 1987) from the Secretary, Land Use Committee:

At its meeting held on January 13, 1987, the Land Use Committee had before it a report (January 5, 1987) from the Acting Commissioner of Planning and Development respecting a zoning by-law amendment to prohibit for-profit group homes in the City.

The Committee also had before it a communication (January 12, 1987) from Bert Steenburgh, President, Exodus Link Corporation.

The Committee deleted Recommendation 1 in the report and requested the City Solicitor in consultation with the Acting Commissioner of Planning and Development to report on the possibility of prohibiting for-profit group homes and for-profit crisis care facilities.

The Committee also requested the Acting Commissioner of Planning and Development to consult with the Federal and Provincial funding Ministries regarding any plans to fund for-profit group homes, and with the facility operators, and to report to the Land Use Committee for its February 11, 1987 meeting at which time deputations will be heard.

The Committees also submit the communication (December 17, 1986) from the Assistant City Clerk:

At its meeting held on December 15, 1986, City Council adopted the following motion respecting 2050 Dundas Street West and the Group Home By-law, and in so doing requested the Commissioner of Planning and Development to report to the Neighbourhoods Committee on January 15, 1986, as set out therein:

> "Whereas the Exodus Link Corporation has, as of December 3, 1986, received all necessary clearances to prepare the premises at 2050 Dundas Street West for use as a Crisis Care Facility for as many as 80 parolees; and whereas there is a Residential Care Facility located within 800 feet of 2050 Dundas Street West; and whereas under the current by-law, Crisis Care Facilities are currently permitted within 800 feet of a Group Home in Commercial areas; and whereas the lack of a distancing requirement does not afford deserving businesses on a commercial strip the same type of protection that is in place in residential areas with respect to overconcentration; and whereas large residential areas are frequently immediately adjacent to commercial areas and, consequently, can be victimized by an overconcentration situation with respect to Group Homes and Crisis Care Facilities;

therefore be it resolved that the Commissioner of Planning and Development report to the Neighbourhoods Committee for its meeting on January 15, 1987, on amending the Group Home By-law so as to eliminate all current exemptions from the 800 foot distancing requirement and to forbid the operation of group homes by 'for-profit' agencies in the City of Toronto."

The Committees also submit the communication (February 5, 1987) from Mr. Michael F. Crowley, Treasurer, International Halfway House Association:

Re: For Profit Group Homes

The International Halfway House Association has been in existence since 1963. In order to describe its purpose, I will quote from our preamble. "The International Halfway House Association, as a private, non-profit, membership organization, acts as a world unifying body and public advocate for the causes and concerns of the community-based residential services in the fields of criminal and juvenile justice, substance abuse, mental health and mental retardation. As such, it expect of its members compassion, belief in the dignity and worth of human beings, respect for individual differences and a commitment to quality care for its clients. It requires of its members the professional background, research and expertise necessary to ensure performance of effective quality services delivered with integrity and competence. IHHA affirms that its primary goal is the successful reintegration of the client into the community."

IHHA's members include agencies, individuals, governments and other professional associations. Most members may be found in North America, but there are also members in Europe, and IHHA is affiliated with the United Nations as a non-governmental consulting organization.

IHHA represents both for-profit organizations as well as the more numerous non-profit ones, and as an association, we would like to make some comments on the matter currently before the Land Use Committee. Our interest is not at the request of any member, but becuase we felt that it would not be inappropriate to relate, in a general way, some experiences in the United States, where this issue has been debated for a longer period of time.

The goal of any community-based residential program should be focused on improving the life of the resident. This can be achieved through varying treatment methods and as the result of programs that are designed to improve a man or a woman's life skills; or by helping an individual find or keep a job. In addition, we may help someone to discontinue a life of drug addiction, alcohol abuse or crime, because of the nature of our programs, or because of the skills and compassion of our counsellors; or for some other intangible reason that can't be described or measured. Hopefully, we exist to help our clients so that they will no longer be victims or offenders again. We hope that they will take their place in the natural order of society.

There are many agencies in the United States in the half-way house movement that have a long history of helping people. Some, like Volunteers of America (VOA) have a national, religious focus, much like the Salvation Army in Canada. Others, such as Massachusetts Halfway House, are more regionally focused, while most are to be found operating in a single city.

Recently, individuals and companies that have acquired expertise in program administration, or who have experience in social services have chosen to enter this field of endeavour. The largest of these companies is Eclectic Communications Incorporated; RCA Victor also operates residential programs, and there are a number of smaller companies or groups of people who are in this field and are not non-profit.

In the United States, most contracts for residential programs are tendered. Both "for-profit" and "non-profit" organizations make bids, or respond to Requests for Proposals, and the atmosphere may be very competitive at times.

It then becomes incumbent upon the funding agency, whether it is federal, state or local, to ensure that the quality of service that is to be provided is given pre-eminence in its decision-making, and that the lowest bid is not necessarily the determining factor (unless all other points are equal). Once the contract has been awarded (and in the U.S. this is often for three years), the funding agency is clearly responsible for ensuring that the service being provided meets the

standard that was called for in the contract. They are also responsible for ensuring that the public's money is being spent as per the terms of the contract.

The point the International Halfway House Association would like to make is that quality of service does not accrue automatically to either non-profit or for-profit service providers. There are current examples of excellent service being provided by both types of agencies. We are aware, unfortunately, of questionable bidding practices that have been engaged in by both types of agencies, but we are also aware of many more examples of entirely ethical and normal business practices engaged in by both.

A non-profit agency has certain advantages that it can legitimately expect. For example, there are advantages when it comes to purchasing items, and tax breaks on the land or buildings that it owns. It may be easier to do fund-raising, and governments are generally more willing to help out with start-up or other capital costs. For-profit agencies usually have the advantage of the flexibility that not having a Board of Directors brings. This usually means that decisions can be made more timely, and without having to be concerned with ingrained, historical attitudes or philosophies. Any increase in value in buildings or land that have been purchased stay with the agency, usually for re-investment.

We realize that as the City of Toronto, generally speaking, does not directly fund community-based residential programs; its interest is in monitoring the effectiveness of these programs. It is the position of the IHHA that you should be sure that the funding agencies, whether they are Provincial or Federal, should have sufficient standards in place that detail service and administrative expectations and that they have an on-going auditing and program monitoring capacity to ensure that the client and the public are well served.

The Committees also submit the communication (January 12, 1987) from Bert Steenburgh, President, Exodus Link Corporation:

Subject: Amendment to By-law No. 332-78 to prohibit for profit group homes and crisis care facilities in the City of Toronto.

I am writing in response to the report submitted to your Committee by the City's Planning and Development Department on January 5, 1987, relating to the above-noted subject.

As the first for profit entity to receive a contract to provide community-based supervision and services to federal parolees, we have an obvious vested interest in the proposal to prohibit for profit group homes and crisis care facilities.

Mr. Millward's report accurately reflects our response to most of the issues raised by this proposal. His comments about our company and the facility which has sparked this controversy are fair and precise.

We would strongly support his recommendation that the by-law not be amended at this time as prescribed. Comparing our facility to other profit-driven residential care and day care programs, solely based upon the fact that we share a profit motive is, in our minds, grossly unfair, unsubstantiated and bordering on the ridiculous. Facilities providing care and supervision to people must be assessed and evaluated in terms of quality of care in all areas of service delivery. In the correctional group homes situation, non-profit facilities have at times accrued operating "overages" far in excess of the "profit" which we are held to as a maximum. I would submit that the profit-making situation is, in fact, more open and cost-effective than many non-profit situations. Operating the program for less than budgeted amounts cannot benefit the operation financially because any "overage" is returned to the government or applied to funding in ensuing years. Conversely, over spending in any area does not impact upon company profits due to the cost/plus nature of the contractual agreement.

We are prepared to appear before your Committee and/or City Council to further represent our concerns and support the recommendation in the report referred to above.

STATUS OF EXODUS LINK PROPOSAL AS A CRISIS CARE FACILITY

The Committees submit the report (February 6, 1987) from the City Solicitor:

Subject: Exodus Link Proposal as a "Crisis Care Facility"

Origin: Council Meeting of January 12, 1987 (co6luc87212:215)

Comments:

Introduction

At its meeting of January 12, last, Council asked the Acting Commissioner of Planning and Development to report to the Neighbourhoods Committee on the "ramifications" of two motions by Councillor Grys respecting group homes and crisis care facilities. One of the motions was a request that I report, in consultation with the Commissioner of Buildings and Inspections and the Acting Commissioner of Planning and Development, on "whether the Exodus Link Project falls within the definition of a crisis care facility under By-law 332-78 and the Zoning By-law."

Definition and Qualifications of a "Crisis Care Facility"

Definition

"Crisis care facility" is defined in section 2 of the Zoning By-law as follows:

> "'Crisis Care Facility' means a temporary residence for persons requiring immediate shelter and assistance for a short period, and:
>
> (i) the facility is supervised, or the members of the group are referred, by a hospital, court or government agency; or
>
> (ii) the facility is funded wholly or in part by a government, other than funding provided solely for capital purposes; or
>
> (iii) the facility is regulated or supervised under a general or a special Act;
>
> but does not include a use otherwise classified or defined in this by-law."

Qualifications

"Crisis care facilities" are permitted in C1, CR, QR, C2, C3 and C4 districts only. As you know, these districts are in general characterized by commercial uses, subject to C1, CR and QR districts in which both residential and commercial uses are permitted. Furthermore, the Zoning By-law provides that a "crisis care facility" is a permitted use in these districts on condition that:

> "(i) it occupies the whole of a fully detached building; or
>
> (ii) in the case of a building that is partly residential and partly non-residential or in the case of a 'mixed use building', it occupies the whole of the residential portion of the building; and
>
> (iii) it is at least 245 metres from a 'residential care facility' in an R district."

Exodus Link Proposal

As you are aware, Exodus Link Corporation intends to operate a facility at 2050 Dundas Street West, which is zoned partly C1 and partly C3 under the Zoning By-law and which Exodus Link has called a "crisis care facility". A "crisis care facility" is a permitted use here provided it meets all the requirements of the Zoning By-law and Building Code.

I point out to you that a building permit was issued to Obelisk Construction Inc. on December 3, 1986 to make interior alterations to the existing building at 2050 Dundas Street West for the purpose of a "crisis care facility". I am advised by staff of the Department of Buildings and

Inspections that prior to issuing this building permit, the nature of the proposed use of the building was reviewed with representatives of Exodus Link Corporation and found, in the opinion of staff, to meet the definition of "crisis care facility" under the Zoning By-law as well as other applicable requirements of the Zoning By-law and Building Code. Further, I point out that I am advised by the building inspector that work at the building is well underway. Accordingly, the operation of what purports to be a "crisis care facility" at 2050 Dundas Street West is imminent.

Is Exodus Link a Crisis Care Facility as Defined Under the Zoning By-law?

The first question which has been asked of me is whether, in law, the Exodus Link project meets the above-noted definition of "crisis care facility" in the Zoning By-law. In preparing my report herein and response to this question, I have consulted with the Acting Commissioner of Planning and Development, the Commissioner of Buildings and Inspections and the Ward 2 Aldermen. I have also reviewed various documents which have been provided to me respecting the Exodus Link project, including the contract dated December 15, 1986 issued to Exodus Link Corporation by the federal government for an "Attendance Centre for Conditionally Released Offenders" and various recent press releases respecting this facility which, as you are aware, has received publicity over the past several weeks. I have also spent some time reviewing the approved plans and building permit file pertaining to 2050 Dundas Street West. Finally, I asked Planning Department staff to provide me with examples of other facilities approved as "crisis care facilities" operating in the City as well as background planning reports respecting By-law 332-78 (the City's "Group Homes" By-law) which, almost ten years ago, introduced the definition of "crisis care facility" to the general Zoning By-law.

I note that the contract issued to Exodus Link Corporation by Supply and Services Canada on behalf of Correctional Services Canada provides that Exodus Link Corporation will provide certain services to persons referred to it by Correctional Services Canada, being persons authorized to be temporarily absent from a correctional institution who are in need of assistance or persons released on parole or under mandatory supervision who would benefit from such services. The services listed in the contract include:

(i) ten residential beds;

(ii) supervision of up to eighty "supervision cases" on a monthly basis (recent press reports indicate that this figure may be reduced to fifty);

(iii) daily observation of supervision cases in their day-to-day interaction with peers and programme staff;

(iv) drug/alcohol awareness, job search, marriage/family enrichment, literacy, sports and recreational, recruitment and training for community volunteer service, psychiatric and other counselling programmes as well as a 24-hour emergency crisis programme aimed at assisting supervision cases;

(v) an attendance centre;

(vi) liasion with various community support groups, the National Parole Board and Correctional Services Canada.

I further note that the layout of the floor area on the approved building plans shows:

- approximately half of the building comprises five offices, a staff lounge, two staff washrooms, another washroom; a library, a games room and a "duty post";
- the remaining half of the building contains a dormitory, several washrooms, a corridor with vending machines, an office, a meeting room and a conference room.

An additional area of approximately half the size of the facility described above is shown on the approved plans as comprising a loading bay and room marked for "future expansion". The additional area is at the rear of the facility and separated therefrom by a 2 x 6 stud wall. Buildings Department staff has clearly marked the entire floor space shown on the approved

plans, including this room and loading bay, as being for the purpose of a "crisis care facility" and the applicant has signed the approved plans with this (and other) notations marked thereon. Finally, the building permit file reveals that this property is zoned C1 V1 and C3 V2, with the existing building at 2050 Dundas Street West being entirely within the portion of the property zoned C1 V1.

As "crisis care facilities" are permitted in C1 and C3 districts, the issue is whether the Exodus Link facility falls within the definition of a "crisis care facility" in the Zoning By-law based on the above facts. In my view, reasonable arguments can be made in law both in support of and against the proposition that the Exodus Link project falls within this definition. I will discuss these arguments separately. Before turning to them, I point out that based on my research, I am satisfied that the project satisfies one or more of the criteria respecting referrals, funding or regulation of "crisis care facilities" listed in the definition. The persons attending at this facility are referred by a government agency, being Correctional Services Canada; it is funded by the federal government and appears to fall under the Penitentiaries Act. Only one of these criteria needs to be satisfied in order for the project to be considered a "crisis care facility" (the word "or" rather than "and" qualifies the criteria in the definition). The only question which remains, therefore, is whether the Exodus Link facility can be considered "a temporary residence for persons requiring immediate shelter and assistance for a short period."

Meets the Definition

On a broad or remedial interpretation of the definition of a "crisis care facility", the Exodus Link facility qualifies as same. The argument would be that the definition, like all legislation, is subject to interpretation in accordance with section 10 of the Interpretations Act, which provides:

> "Every Act shall be deemed to be remedial, whether its immediate purpose is to direct the doing of any thing that the Legislature deems to be for the public good or to prevent or punish the doing of any thing that it deems to be contrary to the public good, and shall accordingly receive such fair, large and liberal construction and interpretation as will best ensure the attainment of the object of the Act according to its true intent, meaning and spirit."

Accordingly, one draws the following conclusions:

(i) "crisis care facility" in the Zoning By-law means not only a "temporary residence" for persons in need of shelter but also a place for them to receive "assistance". Although the type of "assistance" which can be offered is not specified, a court interpreting the definition of a "crisis care facility" remedially could construe the word "assistance" as meaning a wide range of life skills and self-improvement programmes aimed at helping persons in crisis to rebuild their lives. Moreover, the notion of "crisis care" could mean not only emergency care but also counselling and other services for persons who are on parole. After all, the only qualification specified in the Zoning By-law respecting the type of assistance and shelter provided by a "crisis care facility" is that the same be "for a short period". This expression too is not defined and an argument can therefore be made that accommodation and assistance for "a short period" means something other than permanent or long-term accommodation and assistance which, of course, distinguish "residential care facilities" from "crisis care facilities" in the Zoning By-law. Seen in this light, the fact that the Exodus Link project offers many types of assistance to persons on parole, ranging from a 24-hour emergency crisis programme to sports and recreation, and the fact that such assistance may be offered for weeks or even months could qualify the project as a "crisis care facility";

(ii) furthermore, interpreting the definition broadly, an argument can be made that providing assistance to persons in crisis, whether or not they live within the facility in question, is the essence of a "crisis care facility". Indeed, Planning Department staff have provided me with examples of other "crisis care facilities" in the City which provide counselling and other services to both temporary residents and "drop-in's". The argument would be that the words used in the definition of "crisis care facility" do not reflect all aspects of the notion, especially in view of the trend away from institutionalizing people in

need. Furthermore, counselling and supervision of persons residing outside a "crisis care facility", so the argument would go, must be considered accessory to the principal, most important purpose of the facility as a home for the homeless. "Accessory" is defined in the Zoning By-law as being:

> "naturally and normally incidental, subordinate in purpose or floor area, or both, and exclusively devoted to a principal use,...."

On the above analysis, the Exodus Link project can be considered a "crisis care facility" notwithstanding the "drop-in" services provided.

Does not meet the Definition

The Exodus Link project would not meet the definition of a "crisis care facility" in the Zoning By-law on a strict or literal interpretation of the definition. Interpreted literally, the definition means a "temporary residence" for persons in need of shelter, not a place where persons, who live elsewhere, are supervised or counselled. Indeed, I am unaware of any definition in the Zoning By-law which specifically permits a drop-in or attendance centre, other than possibly "treatment centres" operated by the Alcohol and Drug Addiction Foundation, which are permitted in C1, C1A, CR and QR districts in the City. Furthermore, employing this approach, the notion of "crisis care" would mean just that - emergency shelter and assistance to those in immediate need of both.

Taking this approach a step further, one can turn to the plans showing the layout of the building at 2050 Dundas Street West and would argue that the floor space devoted to a dormitory and other necessities of living-in is significantly less than the floor space for administrative, recreational and other "non-residential" purposes. Indeed, the dormitory does not even occupy half of the building. Accordingly, on a strict interpretation of the definition of "crisis care facility", the Exodus Link facility falls short. It is an "attendance centre" for released offenders, with a dormitory as a minor or subordinate feature, based on the large numbers of "attendees" versus residents of the facility and the large amount of floor area for administrative and recreational uses versus residential uses.

Does Exodus Link Meet The Qualifications For A "Crisis Care Facility"?

Were one to decide, based on a remedial interpretation of the definition of "crisis care facility", that the Exodus Link project can be considered same, the next question which arises is whether this facility meets the qualifications governing "crisis care facilities" in the Zoning By-law. As noted in the discussion above, in C1 and C3 districts, a "crisis care facility" must:

"(i) occupy the whole of a fully detached building;

(ii) in the case of a building that is partly residential and partly non-residential, occupy the whole of the residential portion of the building; and

(iii) be at least 245 metres from a 'residential care facility' in an R district."

In regard to qualification (iii), the Commissioner of Planning and Development has confirmed that this facility is more than 245 metres from any "residential care facility" in an R district.

With regard to qualifications (i) and (ii), I understand that the existing building at 2050 Dundas Street West was formerly occupied by an LCBO retail outlet. Accordingly, there is no "residential" portion in this building and therefore, the Exodus Link project must occupy the whole of the building at 2050 Dundas Street West in order to meet regulation (i). Given the fact that the approved plans reveal a portion of the existing building as being vacant and reserved "for future expansion", the issue which arises is whether this qualification has been satisfied. Again, I believe reasonable legal arguments can be made both ways.

Meets the Qualification

On a remedial interpretation of this qualification, the argument would be that the requirement that a "crisis care facility" occupy the whole of the building is one which can be satisfied either at the time a building permit is issued or at any time in the future. In other words, although the condition is aimed at ensuring that only a "crisis care facility" occupies a non-residential building this does not mean that the facility must occupy the entire building at once. Rather, any portion of the building not so occupied must remain vacant in the interim. Based on the above, the Exodus Link project is within the Zoning By-law qualifications notwithstanding that a part of the building at 2050 Dundas Street West is shown as vacant and reserved "for future expansion". A notation made on the approved plans by Buildings Department staff clearly indicates that the whole of this building, including such vacant space, is to be used for a "crisis care facility," only.

Does not meet the Qualification

On a strict interpretation of the requirement that a crisis care facility "occupy the whole of the building", the argument would be that no portion of a building in which such a facility is located can be used for any purpose but a crisis care facility. Vacant space is therefore not permitted in the building. On this analysis, the Exodus Link project is not within the requirements of the Zoning By-law because it does not occupy the whole of the building at 2050 Dundas Street West.

Validity of Building Permit and Revocation Circumstances

In view of the fact that a building permit has been issued for a "crisis care facility" at 2050 Dundas Street West, the questions asked of me are, in effect, whether the building permit now held by the owner of this property is valid. A negative answer to this question has serious implications. The courts have held that while a building permit issued in contravention of a municipal zoning by-law can be revoked, the holder of the permit may be entitled to damages from the municipality representing his or her losses incurred as a result of relying on the permit. In the case at hand, were the building permit issued to Obelisk Construction Inc. for a "crisis care facility" at 2050 Dundas Street West to be revoked, based on a determination "after the fact" that the Exodus Link project is not permitted under the Zoning By-law, then this company and/or others who reasonably relied on the issuance of the permit to their detriment could bring an action against the City for damages. Such an action may succeed unless it can be proved that the building permit was issued on false or mistaken information provided by the applicant which led the City's Chief Building Official to believe that the Exodus Link proposal was a "crisis care facility", a conclusion he would not have reached had he been provided with the correct information.

I emphasize to you that the holder of this building permit is entitled to continue to rely on it, notwithstanding any "second-guessing" of the decision to issue it, until it is revoked. Under the Building Code Act, the chief building official of a municipality is charged with the obligation to issue building permits and is also responsible for deciding to revoke a permit:

"(a) where it was issued on mistaken or false information;

(b) where, after six months after its issuance,...construction or demolition...has not, in the opinion of the chief official, been seriously commenced; or

(c) where the construction or demolition of a building is, in the opinion of the chief official, substantially suspended or discontinued for a period of more than one year."

The only other way the issuance of a building permit can be challenged is pursuant to section 15 of the Building Code Act which provides to "any person who considers himself aggrieved by an order given or decision made by a chief official," the right to a hearing and appeal to the District (formerly County) Court. An application for such hearing and appeal is to be made within twenty days after the order or decision complained of, subject to a judge extending the time "where he is satisfied that there are prima facie grounds for granting relief...and that there are reasonable grounds for applying for the extension...." I expect the court would require the "aggrieved person" to demonstrate a substantial interest in the matter in dispute, such as a proprietary interest in the particular property which is subject to the order or decision being appealed. A

municipality which believes a building permit has been issued in contravention of its zoning by-law may well have status to bring such hearing and appeal.

Again, the point is this: any decision to revoke the building permit issued in respect of 2050 Dundas Street West must be made by the Commissioner of Buildings and Inspections, as the City's Chief Building Official, or by a court pursuant to the Building Code Act. Finally, revocation of the permit at this stage could expose the City to liability for damages incurred by those who reasonably relied on it to their detriment unless it can be shown that the applicant provided false or mistaken information to the Commissioner of Buildings and Inspections on which he based the decision to issue the building permit.

Future Action

If, after considering my report, Council decides that the Exodus Link project is not a "crisis care facility" as defined in the Zoning By-law or that it does not meet the qualifications governing "crisis care facilities", then Council could request the Commissioner of Buildings and Inspections to compare the information now available to him and that which he had at the time this building permit was issued on December 3rd, last. Council could further suggest to the Commissioner of Buildings and Inspections that following such comparison, he decide whether the permit was issued on mistaken or false information and that he revoke it if he decides that this was the case. If the Commissioner of Buildings and Inspections, upon considering the matter, decides that he should not revoke the permit then Council could instruct me to seek an Order under section 15 of the Building Code Act extending the time in which the City can apply for a hearing and appeal of the decision to issue the permit.

Conclusion

Determining whether or not the Exodus Link project falls within the definition of a "crisis care facility" in the Zoning By-law is predicated first on establishing the relevant facts pertaining to the facility and then applying those facts to the requirements of the Zoning By-law. As I have outlined above, the definition of "crisis care facility" in the Zoning By-law bears interpretation and in view of this, reasonable arguments can be made in law both in support of and against the proposition that this facility is a "crisis care facility". I think the results of the inquiry depend on whether one takes a remedial approach to interpreting the definition and the qualifications which a "crisis care facility" must meet or whether one takes a strict approach. In any event, there can be no doubt that any decision to revoke this building permit must be made by the Commissioner of Buildings and Inspections or by a court pursuant to the Building Code Act. Further, in the event the building permit is revoked, then the City may be liable in damages to those who relied on it and incurred losses unless it can be proved that the permit was issued based on the applicant providing false or mistaken information to the Commissioner of Buildings and Inspections.

Recommendation: That you receive this report for your information.

The Committees also submit the communication (February 11, 1987) from Ms. Jane E. B. Thompson, Gardiner, Roberts, Barristers and Solicitors:

We are solicitors for Mr. and Mrs. Tom Vachliotis residents of the Parkdale community in the vacinity of the proposed Attendance Centre to be operated by Exodus Link Corporation at 2050 Dundas Street West in the City of Toronto. We were retained by our clients in late December to advise as to the conformity of the proposed facilities and use thereof with the provisions of the City of Toronto zoning by-laws applicable thereto. In addition, we have since been retained to advise Mr. Steve Magwood with respect to this same issue. Since first being retained and after having reviewed the matter we were advised that by resolution of the Council of the City of Toronto the report which you have before you this evening was commissioned. Having previously and independently reviewed the very issue before you tonight and having seen the inconclusive nature of that report we were instructed by our clients to address you this evening in order to set out the legal position of our clients in-so-far as it relates to the position of the City of Toronto on this issue.

As set out in the City Solicitor's report to you, the building in which the proposed Attendance Centre is to be located is within a C1 V1 zone. We have reviewed all of the uses permitted in that zone and, in short, have concluded that none would include the type of daily, intensive supervision and counselling envisaged for the proposed facilities. In view of the fact that the proposed use has been treated by staff of the City of Toronto as a "crisis care facility" and that all approvals to date are premised upon its conformity with the definition, we confine our comments to the interpretation of the term "crisis care facility" as it appears in By-law 438-86.

The City Solicitor's reports casts this issue in terms of a choice between a broad and liberal or a narrow and restrictive interpretation. With all due respect we do not agree that such an important and far reaching land use question should be viewed in such narrow terms. We consider that under any rule of interpretation regard must be had to the true meaning and intent of the enacting body.

It is clear from the material which you have before you in the City Solicitor's report, as it is from previous reports by the Commissioner of Planning and Development, that the proposed Attendance Centre as it has been described by the proponents, Exodus Link Corporation, is a relatively new concept in the field of correctional services. Further, and more importantly, it is completely novel to the City of Toronto. As such, it is without question that it was not contemplated at the time that provisions dealing with crisis care facilities were incorporated into By-law 438-86 and it's predecessor. The zoning by-law contains a zoning designation in the C4 category for uses which are "not permitted in another class of district but that may be lawfully established in the City of Toronto" (S.9(1)(f)(b)(xv). It is our position that in-so-far as the subject use does not fit any of the other use categories as defined in the By-law, it can only be located within an area designated for this "residual" use.

Without embarking on a lengthy and technical analysis according to cannons of statutory interpretation, it has been our advice to our clients that the proposed use does not fit any land use category permitted in a C1V1 zone. It strains the ordinary clear and unamiguous language of the definition of "crisis care facility" in subsection 2(1) to ascribe to it a meaning which would permit a use which is predominantly not residential but is geared to the activities during waking hours of most attendees and a use which does not provide emergency care or assistance but which is to serve the needs of persons subject to the federal corrections system in the normal course of their rehabilitation and re-entry into society. Indeed the report of the Acting Commissioner of Planning and Development of January 5, 1987, to these Committees refers to the fact that a mjaor thrust of the project is to provide intensive supervision and counselling to persons not making use of any residential component. It tortures the concept of ancillary and accessory use to suggest that such a stated, major objective of the facility is permitted under the guise of being an ancillary use. That same report also indicates that even the residential component is not, in fact emergency or short term but is a facility available to a certain segment of the referred ex-offenders.

It is not our purpose here to seek to supercede or obtain from you a rejection of the advise of your own staff. The City Solicitor's report sets out to you the options available in this situation. The course of action which we would urge upon you on behalf of our clients is as follows:

1. It behooves you to seek further information as to exactly what facts, what documentation and what representations were in the hands of the Chief Building Official for the City of Toronto at the time the decision was made to issue the building permit to Exodus Link Corporation. Unless full information as to the proposed counselling and other non-residential components of the project was available, the permit should be revoked immediately, on the basis that it was issued on mistaken information. We wish to make clear, however, that not withstanding the issuance of a building permit to Exodus Link Corporation the activities carried on by that company in the subject location may, in-so-far as they are not in compliance with the applicable zoning provisions, be the subject of further action on the part of a private citizen and equally, should it choose to do so, by the City of Toronto. The applicable provisions of the Zoning By-law do now and will continue to speak for themselves.

2. In light of the foregoing, we submit to you that it is in the interests of all concerned including Exodus Link to resolve the issue of land use and its conformity with the zoning by-law at this time rather than to proceed further at the risk of exposure to a restraining action in future.

It is our client's position that if the subject proposed use is to be located at 2050 Dundas Street West or indeed in any other location other than a C4 zone, the appropriateness of the use in that location must be determined in the context of a rezoning including prior input from the public and full consideration of the merits of the proposal by Council. The protections afforded by Section 34 of the Planning Act are there for the purpose of permitting full evaluation by Municipal Councils and affected parties of the ramifications of a particular land use decision. To stretch the ordinary, plain wording of an existing use category in order to find a basis to permit a novel use and one which has such significant planning and social implications would not serve the interests of the City of Toronto or its constituents.

We are requesting that these Committees recommend to the Council of the City of Toronto that it enact an Interim Control By-law pursuant to Section 37 of the Planning Act, 1983 to prohibit the use in question in other than a C4 zone pending a full evaluation of the nature and impact of the proposed facility. It is suggested that such an interim control by-law would best serve the interests of all concerned if it applied to the whole of the City of Toronto save and except C4 zones and not just to the subject site. This course of action would permit the City of Toronto to put in place appropriate provisions governing the development of particular sights for facilities such as the ones proposed by Exodus Link Corporation.

Alternatively, it could preclude such uses in other than a C4 zone save and except as permitted on a site specific basis.

All of which is respectfully submitted.

INTERIM CONTROL BY-LAW PROHIBITING COMMERCIAL CORRECTIONAL FACILITIES IN WARD 2

The Committees submit the report (February 5, 1987) from the Acting Commissioner of Planning and Development:

Subject: Appropriateness of an Interim Control By-law to Prohibit the Establishment of Any Project Such As Exodus Link in Ward 2.

Origin: City Council, January 12, 1987 (c71nhc87004:48)

Summary

The proposal by Exodus Link Corporation for a crisis care facility for ex-offenders in Ward 2 has generated considerable concern in the community and among members of City Council. Ward 2 contains a range of social programmes and, as such, is sensitive to the establishment of new facilities. This sensitivity has been heightened because of the way residents were consulted about the project. There is also apprehension about the increased presence of ex-offenders in the ward.

At the same time, Exodus Link is unprecedented as the City's first correctional crisis care facility and first for-profit operation of its kind. Consequently, there is uncertainty about the impact the facility will have on the community. In other reports before your Committees, I have been requested to comment on the prospects for making prior consultation with residents mandatory and for prohibiting for-profit crisis care facilities and group homes. In this report, I've been asked to consider the appropriateness of using an interim control by-law to prohibit any further uses such as Exodus Link in Ward 2.

The City Solicitor has advised me that when an interim control by-law is proposed, the following considerations must be dealt with in a planning report:

a) justification for a planning study to be undertaken, In my view, this means evidence that a particular land use may have a negative impact on an area;

b) planning justification to uphold the wording of the proposed by-law;

c) compliance of the proposed by-law with the Official Plan;

d) adequacy of the area to be coverd;

e) whether or not the area has been covered by such a by-law before and, if so, when.

For the purposes of this report, in order to justify an interim control by-law in Ward 2, there must be sufficient planning evidence to show that Exodus Link has a negative impact on the ward. This evidence provides the rationale for prohibiting any further such uses through the by-law. To be appropriate, it must also be shown that the by-law can provide adequate coverage of the ward to make the prohibition effective. Without sufficient planning evidence or adequate coverage, an alternative to an interim control by-law must be found.

Statistics show that Ward 2 has shared significantly in the development of group homes and crisis care facilities in the City. The ward is also the location of a number of other provincially-funded social programmes including satellite boarding homes, Ecuhome rooming houses, mental health facilities and services for the disabled. Therefore, there is merit in suggesting that any similar projects not be implemented in the area until the impact of the Exodus Link facility has been adequately studied.

However, an interim control by-law does not appear to be appropriate for prohibiting additional projects such as Exodus Link. In my report on prohibiting for-profit group homes and crisis care facilities, I found no evidence that Exodus Link would have a different community impact than other non-profit crisis care facilities. Although the facility has not opened, the available information suggests that the project will be strictly regulated with adequate management controls. It is too early to assess what its impact will be and there are no comparable models operating from which to draw conclusions.

At the same time, the recent expiry of three interim control by-laws in certain areas of Ward 2, would, according to Section 37(7) of the Planning Act, prevent any new interim control by-law from being applied in these areas. Consequently, no new interim control by-law could meet the intent that any projects such as Exodus Link be prohibited from all of Ward 2.

There are other alternatives that should be considered. In recognition of the public concern in Ward 2, City Council could request the Solicitor General of Canada and the provincial Minister of Correctional Services not to implement any additional correctional crisis care facilities in the ward until the impact of Exodus Link has been studied. City officials could be requested to undertake such a study by monitoring the facility closely for a specified period of time.

Recommendations:

1. That City Council not adopt an interim control by-law to prohibit the establishment of any project such as Exodus Link or any other commercially operated correctional facility in Ward 2.

2. That City Council request the Solicitor General of Canada and the Ontario Minister of Correctional Services to halt the further placement of correctional crisis care facilities in Ward 2 for a minimum of one year and until the Exodus Link project has been adequately studied and evaluated.

3. That the Acting Commissioner of Planning and Development in consultation with the Commissioner of Buildings and Inspections and the City Solicitor be requested to monitor the Exodus Link project for one year and report to Neighbourhoods Committee on the terms of reference for a monitoring report within six weeks.

4. That the Solicitor General of Canada be requested to advise City Council of changes to the program and operations of the Exodus Link project, particularly regarding caseload and the use of the building.

1. Background

At its meeting on January 12, 1987, City Council referred the following motion to the Neighbourhoods Committee for further consideration and the hearing of deputations:

> "Whereas Ward 2 has been an area that has traditionally been attractive to operators of group homes, crisis care facilities, satellite homes, halfway homes and a myriad of other housing initiatives aimed at the socially disadvantaged; and whereas Ward 2 has consistently been chosen as a 'testing ground' for pilot programs of the aforementioned such as Ecuhome and Exodus Link; and whereas there is tangible evidence to suggest that a positive trend through reconversions, renovations, etc., towards owner occupied housing is emerging in the Ward and, particularly in the area south of Queen Street West; and whereas City Council has consistently encouraged a mix of housing types in residential areas and discouraged concentrations of specific types of residential and social programming which could have a 'ghettoization' type effect (i.e. By-law No. 67-78 which amends By-law No. 20623 so as to prohibit boarding or lodging houses in South Parkdale); therefore be it resolved that City Council direct the Commissioner of Planning and Development to report back to Council within six weeks through the appropriate Committee on the appropriateness of passing an Interim Control By-law or some other measure which would have the effect of prohibiting, at least for a two year period, the establishment of any project such as Exodus Link or any other commercially operated correctional facility in a residential or commercial/residential area in Ward 2."

In order to address this motion, the following factors must be considered:

a) The Exodus Link proposal;

b) The mix of social programmes in Ward 2 that may make it sensitive to the establishment of additional projects such as Exodus Link;

c) The planning issues relevant to the use of an interim control by-law to prohibit additional projects such as Exodus Link in Ward 2;

d) Alternatives to an interim control by-law.

2. The Exodus Link Proposal

Exodus Link Corporation, a commercial facility operator, is proposing to establish a crisis care facility for ex-offenders in Ward 2. The operator was issued a building permit in December and the facility is scheduled to open soon. Although recent media reports suggest that the caseload may be lowered to fifty, the initial information available about the project indicates that up to eighty parolees from federal penitentiaries will use the facility.

The project will serve as a temporary residence for up to ten ex-offenders who, for various reasons, may require emergency housing for a short term basis. Exodus Link will also provide a structured counselling programme on employment matters, family problems and addictions for ex-offenders who live elsewhere but must attend the facility as a condition of their parole.

The project is funded by Correctional Services Canada, regulated under the Penetentiaries Act and its users will be referred by the National Parole Board or other agency in the criminal justice system. The site is a former Liquor Control Board retail outlet and warehouse zoned C1 V1 / C3 V2.

As the City's first correctional crisis care facility and the first such operation to be run on a for-profit basis, Exodus Link has generated considerable controversy. There is apprehension about increased numbers of ex-offenders in Ward 2. There is also concern that a commercial operation might compromise on the standards of supervision to protect its financial position.

In my January 5, 1987, report on prohibiting such for-profit uses, I found that commercial operators are contractually obligated by funders to maintain the same strict professional standards as non-profit agencies. In the case of Exodus Link, the operator is also guaranteed a specified rate of profit. However, the status of the project as a first time venture is legitimate grounds for public uncertainty about the effects it will have.

3. The Ward 2 Context

Since the early 1970's, the City of Toronto has been a leader in accepting supportive community facilities of various kinds. Statistics, updated since my December, 1986, Group Home Monitoring Report, show that Ward 2 has shared significantly in the development of group homes and crisis care facilities. Figures, displayed in Tables 1 and 2 in the Appendix, show the City-wide distribution of these services by type and ward.

The data indicate that Ward 2 ranks third after Ward 8 and Ward 5 in total group homes; Ward 8 has eighteen group homes and Ward 5 has sixteen compared to thirteen facilities in Ward 2. Compared to other wards, Ward 2 also has an equal or greater number of correctional group homes for adults. Only Ward 7 has more.

Ward 2's relatively high ranking seems particularly significant since it is not in the Central Area where institutional and social service uses are frequently located.

A look at the crisis care facility totals in Table 2 shows that Ward 6 ranks first with thirteen, Wards 7 and 5 rank second with seven facilities each and Ward 1 ranks third with three. Ward 9 has the least crisis care facilities, zero, while all remaining wards, including Ward 2, have one each.

The Exodus Link proposal accounts for the only project approved as a crisis care facility in Ward 2, and the first new group home or crisis care facility to be located in the ward since 1982.

When the numbers of group homes and crisis care facilities are combined by ward, Ward 2 ranks in the top five. Ward 6 has twenty-three, Ward 5 twenty, and Wards 8 and 7 have nineteen each compared to fourteen facilities in Ward 2.

Although up-to-date statistics on other services aren't available, provincial officials substantiate the fact that their ministries operate many other social programmes in Ward 2. These include facilities like the Queen Street Mental Health Centre, satellite boarding homes, Ecuhome rooming houses, seniors' residences and parent-child centres. These activities contribute to the broad mix of supportive community facilities in Ward 2.

There is little doubt, therefore, that Ward 2 is a sensitive context in which to introduce new supportive services, particularly - once Exodus Link is established - any additional correctional facilities.

4. Planning Issues Relevant to an Interim Control By-Law

It is fair to criticize senior levels of government for inadequately planning the placement of supportive community facilities in municipalities. In the case of Exodus Link, poor co-ordination and consultation with local authorities on one project has resulted in a questioning of the City's entire policy on group homes and crisis care facilities.

In Ward 2, it is being proposed that an interim control by-law be considered as a way of halting any additional projects like Exodus Link from being located in the area for a period of two years at minimum.

The City Solicitor has advised me that when an interim control by-law is proposed, the following considerations must be dealt with in a planning report:

a) justification for a planning study to be undertaken. In my view, this means evidence that a particular land use may be a negative impact on an area;

b) planning justification to uphold the wording of the proposed by-law;

c) compliance of the proposed by-law with the Official Plan;

d) adequacy of the area to be covered;

e) whether or not the area has been covered by such a by-law before and, if so, when.

Justification for an interim control by-law must illustrate that Exodus Link has a negative impact on the Ward. This provides a rationale for prohibiting similar such uses. It must also be shown that the by-law is adequate for the task; that is, it can adequately cover a large enough area in the ward to make the prohibition effective. Without these conditions, an alternative to an interim control by-law must be found.

In the first instance, there does not appear to be sufficient planning evidence that Exodus Link will have a negative impact on other land uses in the ward. Since the facility has not opened and there are no comparable models to study, only a preliminary assessment is possible.

In my January 5 report, referred to earlier, I could not find any evidence to suggest that, as a commercial operation, Exodus Link would have any different impact than non-profit crisis care facilities already operating in the City. From the information available about the Exodus Link programme, it appears to be a tightly regulated operation staffed by experienced criminal justice professionals. Users of the facility are under strict supervision and can be returned to prison for violating the terms of their programme. Specified areas of the community, such as private dwellings, are off-limits. Parolees must also be in regular communication with the facility staff.

These administrative procedures provide assurance that Exodus Link will be responsibly operated with adequate controls. Based on this information it is too early to ascertain what impact the project will have on Ward 2.

For these reasons, I do not believe that there is a sufficient planning rationale for using an interim control by-law to prohibit additional uses such as Exodus Link in Ward 2.

There are other reasons why an interim control by-law is inappropriate for Ward 2. Three interim control by-laws previously put into effect in the ward have recently expired. These by-laws include:

(a) By-law 43-86 limiting eating establishments in the C1V1 areas on Queen Street West, west of Dufferin Street and on Roncesvalles Avenue;

(b) By-law 119-86 limiting R uses in the residential areas bounded by Bloor Street West, Parkside Drive, High Park Boulevard and Indian Road, except for the Bloor/Parkside site;

(c) By-law 153-85 limiting C uses in the Perth-Sterling industrial area.

Section 37(7) of the Planning Act states that once these by-laws have ceased to be in effect, no other interim control by-law can be imposed on these areas for a period of three years. This means that even if there were grounds for prohibiting projects like Exodus Link in Ward 2, an interim control by-law could not be applied to the entire ward. From a planning point of view, an interim control by-law would be inappropriate because of inadequate coverage. Facilities such as Exodus Link would have to be permitted in some parts of the ward while being prohibited in others. This is contrary to the intent of the motion that this report addresses.

5. Alternatives to an Interim Control By-Law

Alternatives to an interim control by-law should be considered in view of the serious concern in Ward 2 about correctional crisis care facilities. Media coverage of the issue reflects continued public uncertainty about Exodus Link. It has been reported that, in response to citizens' concerns, the federal Solicitor General is proposing to lower the number of ex-offenders using the facility.

This underlines the need for thoughtful public consultation and careful programme planning when dealing with ex-offenders in the community. Greater co-operation between the City and the senior levels of government is also essential.

Given the City's limited planning powers to prohibit future uses similar to Exodus Link, City Council could repeal the as-of-right zoning privileges of crisis care facilities. This would have

a major effect on groups like battered women, children, and the homeless, all of whom have a continuing need for emergency accommodation. Repealing the as-of-right privileges of all crisis care facilities might also be seen as too strong a response to Exodus Link. Of the thirty-six crisis care facilities operating in the City, it is the only one for ex-offenders.

In recognition of the public concern in Ward 2, it is reasonable to request that the senior levels of government not implement any additional correctional crisis care facilities in the ward for a minimum of one year and until the Exodus Link project has been adequately studied. I recommend that City Council make this request to the Solicitor General of Canada and the Minister of Correctional Services.

I also recommend that I be requested to monitor the Exodus Link project for a year and report to Neighbourhoods Committee on the terms of reference for a monitoring report within six weeks.

Recommendations:

1. That City Council not adopt an interim control by-law to prohibit the establishment of any project such as Exodus Link or any other commercially operated correctional facility in Ward 2.
2. That City Council request the Solicitor General of Canada and the Ontario Minister of Correctional Services to halt the further placement of correctional crisis care facilities in Ward 2 for a minimum of one year and until the Exodus Link project has been adequately studied and evaluated.
3. That the Acting Commissioner of Planning and Development in consultation with the Commissioner of Buildings and Inspections and the City Solicitor be requested to monitor the Exodus Link project for one year and report to Neighbourhoods Committee on the terms of reference for a monitoring report within six weeks.
4. That the Solicitor General of Canada be requested to advise City Council of changes to the program and operations of the Exodus Link project, particularly regarding caseload and the use of the building.

APPENDIX

TABLE I

RESIDENTIAL CARE FACILITIES IN THE CITY OF TORONTO
(January 1987)

WARD

Client Group	1	2	3	4	5	6	7	8	9	10	11	Total Facilities per Client Group
Substance Dependency		1		1		1	1					4
Seniors					1				1		1	3
Developmentally Disabled		1							1			2
Socially Disadvantaged					2	1						3
Children	2	5	3	1	10	3	3	7	5	1	2	42
Discharged Psychiatric Patients	2	2	1	2	1		2	3		2	1	16
Ex-Offender (Adults)	2	2		2		2	3	2			1	14
Young Offenders	2		1			1	2	1	1			7
Mentally Retarded (Adults)		1	2	2	2	2	3	4			2	18
Physically Handicapped		1										1
TOTAL by WARD	8	13	7	8	16	10	12	18	8	3	7	110

TABLE 2

CRISIS CARE FACILITIES IN THE CITY OF TORONTO

(January 1987)

WARD

Client Group	1	2	3	4	5	6	7	8	9	10	11	Total Facilities per Client Group
Detoxification	1			1		2		1				5
Men	1				1	4	3					9
Women	1				3	2	1			1	1	9
Women and Children			1		1		2					4
Families					1	1	1					3
Children						2						2
Men and Women						1						1
Prostitutes						1						1
Ex-Offenders (Adults)		1										1
Discharged Psychiatric Patients					1							1
TOTAL by WARD	3	1	1	1	7	13	7	1	0	1	1	36

DISTANCING PROVISIONS BETWEEN CRISIS-CARE FACILITIES

The Committees submit the report (December 30, 1986) from the Acting Commissioner of Planning and Development:

Subject: Report on distancing provisions and Crisis Care Facilities.

Origin: City Council, December 15, 1986, and Land Use Committee, August 14, 1985 (c71luc86545:48)

Summary

The current Group Homes By-law 332-78 permits a situation which is inconsistent with Council's intent to maintain a reasonable distance between the different types of facilities serving people in crisis. An inconsistency in the current wording of By-Law 332-78 requires crisis care facilities to locate 245 metres from residential care facilities when the "residential care facility" is situated in a Residential zoning district. However, this same distancing provision does not apply when a similar condition exists in a Commercial or Commercial-Residential zoning district.

In addition, no distancing provision exists to govern the location of two crisis care facilities within a Commercial or Commercial-Residential zoning district. This means that the concentration of residential and crisis care facilities cannot be controlled except in Residential districts where crisis care facilities are prohibited.

A traditional concentration of crisis care facilities exists in the Central Area. The absence of distancing provisions has enabled facilities to locate in close proximity to one another. While experience has shown that the two crisis care facilities located close to each other on Queen Street West, which first prompted this study, are being integrated into the neighbourhood in a positive manner, I believe that it is appropriate to extend the same 245 metre distancing provision to crisis care facilities at this time.

Recommendations:

1. That the City Solicitor be requested to prepare a draft by-law amending By-law 332-78 so that a uniform distancing provision of 245 metres (800 feet) is provided between any two crisis care facilities and between any "residential care facility" and "crisis care facility".
2. That copies of this report be distributed to all interested parties for purposes of hearing deputations.
3. That I be requested to report back to your Committee on the deputations.

1. Background

This report has its origin in two separate requests.

On December 15, 1986, City Council requested me to report to your Committees on amending the Group Homes By-Law regarding distancing provisions. This resulted from the proposed Exodus Link crisis care facility at 2050 Dundas Street West. Council also requested me to report on forbidding the operation of for profit group homes in the City. I am submitting a separate report to your Committees on this matter.

On August 14, 1986, the Land Use Committee also requested me to report on a general by-law aimed at restricting the number of crisis care facilities in any one area. This request resulted from two separate crisis care facilities being established in close proximity to each other at 485 and 501 Queen Street West. An interim control by-law was adopted prohibiting the location of any additional crisis care facilities on Queen Street West between Spadina Avenue and Bathurst Street.

2. Interim Control By-law

Interim Control By-law 676-85 prohibited the establishment of crisis care facilities on Queen Street West between Spadina Avenue and Bathurst Street. Your Committee recommended that the Commissioner of Planning and Development undertake a planning study of Queen Street

West between Spadina Avenue and Bathurst Street. On September 8, 1986, Interim Control By-law 676-85 was further extended another year until September 23, 1987. This report presents the findings of the study.

3. The Crisis Care Facility Policy

By-law 332-78 defines a crisis care facility:

> "Crisis care facility" means a temporary residence for persons requiring immediate shelter and assistance for a short period, and
>
> a) such facility is supervised, or the members of the group are referred by a hospital, court, or government agency; or
>
> b) such facility is funded wholly or in part by any government, other than funding provided solely for capital purposes; or
>
> c) such facility is regulated or supervised under any general or Special Act;
>
> but does not include any use otherwise classified or defined in this bylaw."

The By-law restricts crisis care facilities to Commercial and Commercial-Residential districts and does not regulate the number of residents. A "crisis care facility" must occupy:

> "...the whole of a fully detached building or, in the case of a building which is partly residential and partly non-residential occupies the whole of the residential portion of the building, provided it is located at least 245m (800 feet) from any residential care facility located in an R district."

4. Distancing Provisions between Crisis Care Facilities and Residential Care Facilities (Group Homes)

The distancing restriction in By-law 332-78 requires residential care facilities (group homes) to be a minimum of 245 metres (800 feet) apart. However, there are no regulations which establish a minimum distance between crisis care facilities, so they are permitted to locate in the same commercial area.

It is also possible for residential care facilities (group homes) and crisis care facilities to be established near each other. If a "residential care facility" (group home) operator chooses to locate in a commercial area, there is nothing in the by-law to prevent a "crisis care facility" from locating nearby nor are there any restrictions on a new "residential care facility" from being established near an existing "crisis care facility". Under the current by-law this is permissible. Yet, a "crisis care facility" would not be permitted to locate in a Commercial or Commercial-Residential district if it was within 245 metres (800 feet) of a "residential care facility" located in an R district.

This means that the clustering of residential and crisis care facilities cannot be controlled except in residential areas where crisis care facilities are prohibited. In Commercial and mixed Commercial-Residential districts, crisis care facilities and residential care facilities (group homes) can be sited in the same block.

The current by-law permits a situation which is inconsistent with Council's intent to maintain a reasonable distance between the different types of facilities serving people in crisis. The by-law protects against such concentrations in Residential districts; but it neither ensures distances between crisis care facilities nor prevents residential care facilities and crisis care facilities from being concentrated in Commercial or mixed Commercial-Residential districts.

5. Crisis Care Facilities in Toronto

The City of Toronto currently has 35 crisis care facilities. These include shelters for women, with or without children (12); detoxification centres (6); shelters for men (9); children's detention centres (2); families (3); and shelters for single homeless persons (1), prostitutes (1) and discharged psychiatric patients (1). The Exodus Link Corporation facility for ex-offenders will increase the total to 36.

The major funding agency is the Metropolitan Toronto Department of Community Services. The Ministry of Health, and the Ministry of Community and Social Services also fund crisis care facilities. Many of the crisis care facilities funded by these agencies are hostels.

The average capacity of crisis care facilities is 47 beds, although the largest has 422 beds.

6. Planning Considerations

(a) Balanced Distribution of Crisis Care Facilities

Crisis care facilities provide a necessary service in the community and are generally run by competent operators. Any negative impact on adjacent land uses has been minimized by sound management, the high performance criteria of funders and by-law controls which demand siting in detached buildings outside Residential districts.

The distribution of crisis care facilities within commercial areas across the City and the current inability of the City to control the establishment of new facilities near existing crisis care facilities are important planning and community issues.

The distribution of crisis care facilities by Ward is shown in Table 1.

TABLE 1

Ward	No. of Crisis Care Facilities	No of beds available
1	2	45
*2	0	0
3	2	29
4	1	18
5	7	150
6	13	901
7	7	488
8	1	20
9	0	0
10	1	3
11	1	13
Total in City	35	1767

* Proposed Exodus Link Crisis Care Facility for ex-offenders not included.

The Central Area, Wards 5, 6 and 7 account for over 50% of the facilities in the entire city. In terms of beds available, almost 93% of all "crisis care facility" beds are in these wards.

The absence of distancing restrictions has enabled most "crisis care facility" operators to locate in the Central Area. However, other factors are probably equally important. The Central Area has many low income persons in need of crisis services. Further, it has an established infrastructure of income maintenance, health, food and social services. This, together with suitable space, good transporation and a tradition of community support makes the Central Area attractive to crisis care operators.

Prior to the 1978 Group Homes by-law, six crisis care facilities serving women and children were located in a four block residentially zoned area of Ward 5. Together with the group homes in the Ward, this made the area one of the City's major concentration points for crisis related residences.

A second major concentration of crisis care facilities is found in the eastern sector of Ward 6. Eleven homes provide temporary shelter for prostitutes, homeless men, women and children and alcoholics.

Distancing requirements could help encourage the broader distribution of crisis care facilities across the City. It is a valid objective to ensure that the Central Area does not become over developed as a location for crisis services. Also, persons needing crisis services outside the Central Area can be better served by local facilities that are more accessible to them.

Location near clients is a major consideration for operators of crisis care facilities. During discussions with hostel clients for a study on homelessness, the Housing Department found that many clients had to travel long distances to the facility. This indicates that many hostel users are not necessarily local residents who need the services. Most users were from all parts of Metro, suggesting a need for greater geographic distribution of facilities across the City of Toronto and the suburban municipalities.

For providers of crisis oriented services, the crucial operational issues are the availability of suitable space, access to the service agency network and community support. Given that residential group home operators, governed by distance restrictions, have been able to satisfy these conditions across the City, it seems reasonable that crisis care operators should also be able to satisfy such conditions governed by distancing provisions.

(b) Experience of Crisis Care Facility Operators

Operators of crisis care facilities, including 485 and 501 Queen Street West, were surveyed to discuss the impact of facilities on associated land uses and to assess the implications of imposing distancing requirements. Operators generally believed that crisis care facilities had minimal negative effects on nearby land uses, especially in commercial areas.

Operators tend to seek locations which are large, easily accessible and relatively low profile during operating hours. Sites in Commercial or Commercial-Residential districts tend to have these characteristics.

However, operators generally favour the status quo and are opposed to distancing restrictions. Most see no need for such restrictions, although some believe that two or more facilities serving the same clientele should be kept apart.

The key concern about additional controls is that this would decrease operators' choice of available sites and, in turn, reduce their ability to serve people in need.

However, it is unlikely that an extension of the 245m distance provision would create a serious impediment to providing crisis services. As noted earlier, 93 percent of crisis care beds are located in three wards alone. Consequently there are many opportunities to locate outside these areas. Further, distancing restrictions would not generate serious shortages in suitable sites in Commercial or Commercial-Residential districts. The number of available locations would continue to exceed the number of proposed starts by a large margin. (Average starts per year are less than ten in the City as a whole).

Finally, it would appear that a more balanced geographic distribution of crisis care facilities can benefit both providers of service and their clientele.

(c) Experience of Merchants

The relationship of operators with local merchants and the impact of crisis care facilities on retail strips are also important to consider.

Specific attention was payed to the two crisis care facilities on Queen Street West. The Chairman of the Queen Street West Neighbourhood Association indicated that he had not received any complaints about the facilities nor was there any direct impact upon businesses east of Spadina. This Association does not extend west of Spadina Avenue.

The general level of business activity on Queen Street West and volume of pedestrian traffic appears to have remained constant. New retail businesses continue to establish in

the vicinity of both crisis care facilities as the desirability of having a Queen Street West location increases. The local neighbourhood has also continued to evolve with the recent opening of a 139-unit Cityhome apartment building located on Vanauley Street, immediately north of Queen Street.

Planning staff, the Metro Councillor and Ward Alderman have not received complaints about the operation of either "crisis care facility". The operator of the Y.M.C.A. Crisis Care Facility indicated he did receive three specific complaints from area merchants. The first concerned young people clustering around in front of the facility waiting to gain entry to secure a bed. This was resolved when a policy was adopted requiring the client to indicate by a given time each day if they intended to stay that night. This reserved bed policy eliminated line-ups to opening time. The other complaints concerned the disposal of garbage and general litter. These problems have been resolved through the enforcement of daily housekeeping procedures.

Operators of both crisis care facilities on Queen Street West tried to be sensitive to merchants' requests to maintain commercial facades on their buildings. The Detoxification Centre had initially changed its storefront by eliminating large windows, giving the exterior an institutional appearance. After merchants expressed their concern, the operator agreed to co-operate in a design competition that could lead to facade improvements once adequate funding is found. The Y.M.C.A. Centre staff have also had discussions with merchants about the appearance of their building. They have chosen to maintain a facade which is functional and unobtrusive yet in harmony with adjacent buildings. Signage on each of the facilities is discrete.

The Detoxification Centre directs male clientele to the rear entrance of the building, while women enter from the front. This is a concious effort to minimize street disruption and the volume of pedestrian traffic, while ensuring women's safety.

These initial indications would seem to suggest that both facilities have been successful in providing additional services with minimal disruption to the local community.

(d) Evolution of Group Homes By-law

Toronto has been a leader in advocating an as-of-right group homes policy since 1978. As my recent annual group homes report indicated, the distribution of residential care facilities is being gradually accomplished in all wards of the City. The existence of a 245 metre distancing provision between residential care facilities has been and will continue to be an important factor in ensuring that future group homes will be located in areas where concentrations do not exist.

Council first established the 245 metre distance provision in 1978 to promote an equitable distribution of group homes in a manner that would not hamper the provision of services. In my opinion, a similar situation exists with crisis care facilities.

As this report indicates, a traditional concentration of crisis care facilities exists in the Central Area. The absence of distancing provisions has enabled facilities to locate in close proximity to one another. While experience has shown that the two crisis care facilities located on Queen Street West are being integrated into the neighbourhood in a positive manner, I believe that it is appropriate to extend the same 245 metre distancing provision to crisis care facilities at this time. I have several reasons for making this recommendation.

First, the City has had the benefit of working with the existing group homes by-law for eight years. The by-law has served the City well by providing leadership in the establishment and distribution of residential care facilities across the City.

However, an inconsistency in the current wording of By-law 332-78 requires crisis care facilities to locate 245 metres from residential care facilities when the residential facility is situated in an R district. This same distancing provision does not apply when a similar condition exists in a Commercial or Commercial-Residential district. In addition, no distancing provision exists to govern the location of two crisis care facilities

within a Commercial or Commercial-Residential district. A uniform application of the 245 metre distance provision would remove this inconsistency.

Consistent application of distancing provisions would further help to promote a broader distribution of crisis care facilities throughout the City. This would prevent any further concentration of facilities in specific parts of the Central Area and help to ensure that similar crisis care facilities catering to the same clientele do not cluster in any one area.

The application of consistant distancing provisions would not inhibit the ability of crisis care operators to locate new facilities in Commercial and/or Commercial-Residential districts to a large extent.

Given the small number of new crisis care facilities established each year (less than ten), the availability of potential sites among all the City's commercial strips should not pose a problem.

Finally, it is my opinion that the gradual establishment of new crisis care facilities thorughout the City's commercial strips will provide important services to areas where people would otherwise have to travel to seek help in times of crisis.

Conclusions:

Clustering of crisis care facilities has already occurred in at least two areas of the City. In other cases, group homes are located near crisis care facilities. Regardless of the site characteristics which concern the operators, a distance regulation would not seriously impede the ability of crisis care facilities to locate in the City due to the availability of appropriately zoned sites. Encouraging broader distribution of these facilities would also make the services more accessible to people across the City.

By-law 332-78 is inconsistent in its application and should be amended. A 245 metre radius should also be maintained between any "residential care facility" and "crisis care facility", to maintain a reasonable distance between various services to people in crisis.

Many City and Metro Toronto agencies are involved in the location and operation of crisis care facilities. Through their co-operation and their contact with "crisis care facility" operators, this further restriction will protect existing residential and commercial areas, while still allowing crisis care facilities a wide selection of locations throughout the City.

Recommendations:

1. That the City Solicitor be requested to prepare a draft by-law amending By-law 332-78 so that a uniform distancing provision of 245 metres (800 feet) is provided between any two crisis care facilities and between any "residential care facility" and "crisis care facility".
2. That copies of this report be distributed to all interested parties for purposes of hearing deputations.
3. That I be requested to report back to your Committee on the deputations.

The Committees also submit the communication (January 16, 1987) from the Secretary, Neighbourhoods Committee:

At its meeting held on January 15, 1987, the Neighbourhoods Committee had before it the report (December 30, 1986) from the Acting Commissioner of Planning and Development to both the Land Use and Neighbourhood Committees respecting distancing provisions and crisis care facilities.

The Committee also had before it the following communications regarding this matter:

- (December 17, 1986) from the Assistant City Clerk forwarding Council's action of December 15, 1986.

- (December 9, 1986) from Councillor Grys.
- (January 14, 1987) from the Secretary, Land Use Committee, forwarding that Committee's action taken at their January 13, 1987 meeting.

The Neighbourhoods Committee also adopted the foregoing report (December 30, 1986) from the Acting Commissioner of Planning and Development, as amended by the Land Use Committee, and noted the scheduled public meeting date.

The Committees also submit the communication (January 14, 1987) from the Secretary, Land Use Committee:

At its meeting held on January 13, 1987, the Land Use Committee had before it a report (December 30, 1986) from the Acting Commissioner of Planning and Development respecting distancing provisions and crisis care facilities.

In his report the Acting Commissioner of Planning and Development recommended:

"1. That the City Solicitor be requested to prepare a draft by-law amending By-law 332-78 so that a uniform distancing provision of 245 metres (800 feet) is provided between any two crisis care facilities and between any "residential care facility" and "crisis care facility".

2. That copies of this report be distributed to all interested parties for purposes of hearing deputations.

3. That I be requested to report back to your Committee on the deputations."

The Committee amended Recommendation 1 in the above report by replacing the word and figures "By-law 332-78" with the word and figures "By-laws 438-86, 278-73 and 291-86" and adopted the report, as amended.

The Committee will hear deputations on the matter at its meeting on Wednesday, February 11, 1987, at 11:30 a.m. in Committee Room No. 4, Second Floor, City Hall.

The Committees also submit the communication (December 17, 1986) from the Assistant City Clerk:

At its meeting held on December 15, 1986, City Council adopted the following motion respecting 2050 Dundas Street West and the Group Home By-law, and in so doing requested the Commissioner of Planning and Development to report to the Neighbourhoods Committee on January 15, 1986 as set out therein:

> "Whereas the Exodus Link Corporation has, as of December 3, 1986, received all necessary clearances to prepare the premises at 2050 Dundas Street West for use as a Crisis Care Facility for as many as 80 parolees; and whereas there is a Residential Care Facility located within 800 feet of 2050 Dundas Street West; and whereas under the current by-law, Crisis Care Facilities are currently permitted within 800 feet of a Group Home in Commercial areas; and whereas the lack of a distancing requirement does not afford deserving businesses on a commercial strip the same type of protection that is in place in residential areas with respect to overconcentration; and whereas large residential areas are frequently immediately adjacent to commercial areas and, consequently, can be victimized by an overconcentration situation with respect to Group Homes and Crisis Care Facilities;
>
> Therefore be it resolved that the Commissioner of Planning and Development report to the Neighbourhoods Committee for its meeting on January 15, 1987, on amending the Group Home By-law so as to eliminate all current exemptions from the 800 foot distancing requirement and to forbid the operation of group homes by 'for-profit' agencies in the City of Toronto."

GROUP HOME MONITORING REPORT

The Committees resubmit Clause 14 of Report No. 2 of the Land Use Committee:

The Executive Committee submits the communication (December 19, 1986) from the Secretary, Neighbourhoods Committee:

At its meeting held on December 18, 1986, the Neighbourhoods Committee had before it the report (December 2, 1986) from the Acting Commissioner of Planning and Development respecting Group Home Monitoring Report, which is also contained in Clause 14 of Land Use Committee Report 2, to be considered by Council on January 12, 1987.

In view of the action taken by the Land Use Committee as set out in their communication (December 18, 1986), the Neighbourhoods Committee received the matter.

The Executive Committee also submits the communication (December 19, 1986) from Mr. Bert Steenburgh, President, Exodus Link Corporation, 2050 Dundas Street West, Toronto M6R 1W9:

I am writing to you regarding an article in today's Globe and Mail which reads:

"Council's Land Use Committee this week approved a motion requiring the operators of all such centres to consult the community before seeking financing, accommodation and City permits".

Obviously, as an agency which opens and operates these kinds of facilities, we have strong concerns about the issues involved in changing current regulations or adopting new policies. I would, therefore, respectfully ask that we be given opportunity to make submissions to City Council and any other related Committees regarding any proposed changes to the policies regulating our business.

I would hope that the City's leaders will give opportunity for this kind of open dialogue rather than formulate and set policy based upon media coverage of demonstrations and angry politicians.

The Land Use Committee recommends that:

1. **the Acting Commissioner of Planning and Development continue to discuss with the Ministries of Correctional Services, Health, and Community and Social Services, an appeal procedure for citizens concerned about residential care facilities and crisis care facilities in the City of Toronto and that the outreach program concerning residential care facilities and crisis care facilities be mandatory and not just a guideline to be followed;**
2. **an operator of a proposed residential care facility or crisis care facility be requested to consult the community before securing funding, accommodation and registration;**
3. **taking into consideration the City of Toronto has more residential care facilities and crisis care facilities than all the municipalities combined in Metro, the Ministries of Correctional Services, Health, and Community and Social Services be encouraged to spread any new facilities outside the City of Toronto;**
4. **the Provincial Ministries be requested to report on these issues as quickly as possible.**

The Land Use Committee submits the report (December 2, 1986) from the Acting Commissioner of Planning and Development:

Origin: City Council, April 3, 1983 (c71luc86560:48)

Comments: I am now submitting to the Land Use and the Neighbourhoods Committees this report on group home activity in 1985, regarding the establishment of new programs, their distribution and the client group served. This report also includes activities and group homes starts in 1986.

1. Total Number of Group Homes

As of December 31, 1984 there were 96* residential care facilities in the City of Toronto. On December 31, 1985 there were 105 facilities—a net increase of 9 over the previous year. These 105 facilities include group homes of six to ten residents exclusive of staff. They also include facilities of more than ten residents which existed prior to the passing of the group home by-law and are not otherwise defined in the zoning by-law. There are 78 residential care facilities serving 6-10 residents and 27 legal non-conforming residential care facilities with respect to the number of licensed beds.

Footnote*: In the 1984 annual report, 95 residential care facilities were reported. Somewhat later, an additional facility was discovered, raising the total to 96. Although not previously on the group home register, it was inspected by the Buildings and Inspections Department and was issued a permit in October 1979. It is inspected yearly by the Departments of Public Health and Fire. The program is funded and the residents referred through the Ministry of Community and Social Services.

2. New Facilities and Programs

Although 9 new locations for group homes were established in 1985, there were actually 12 new programs. Three existing facilities remained in operation but changed their clientele and programming. Two became homes for young offenders and one a residence for developmentally handicapped offenders. The three programs that were phased out were two homes for adult ex-offenders and a home for children.

Since 1978, a number of group home programs have ceased operation and been replaced by new programs. When a service provider establishes a program at a site whose immediate prior use was not a group home, then this home is defined as new.

3. Distribution of Group Homes

The distribution of group homes within the City of Toronto in 1985 is shown in Table 1. Table 2 shows the total number of group homes established by December 31, 1985 in new and existing locations since the passing of the group home by-law.

Table 1

Distribution of Group Homes in City of Toronto
(as of December 1985)

Ward	Total Homes in Ward	Homes located pre by-law (1978)
1	6	3
2	13	9
3	5	4
4	8	4
5	16	16
6	11	9
7	12	10
8	19	11
9	10	6
10	2	1
11	6	0
Total City	105	73

Table 2

Distribution of New Group Homes in City of Toronto
(as of December 1985)

Ward	Total since 1978	1985	1984	1983	1982	1981	1980	1979	1978
1	4(3)	1(1)	0	0	2(1)	0	1(1)	0	0
2	1(1)	0	0	0	1(1)	0	0	0	0
3	3(1)	1	1	1(1)	0	0	0	0	0
4	5(4)	2(2)	0	1	0	0	0	2(2)	0
5	0	0	0	0	0	0	0	0	0
6	2(2)	2(2)	0	0	0	0	0	0	0
7	4(2)	0	0	1	1(1)	0	0	0	1(1)
8	11(8)	4(2)	1(1)	1	2(2)	0	0	3(3)	0
9	4(4)	1(1)	2(2)	1(1)	0	0	0	0	0
10	1(1)	0	0	1(1)	0	0	0	0	0
11	7(6)	1(1)	2(1)	1(1)	2(2)	0	1(1)	0	0
Total New homes added	42(32)	12(9)	6(4)	7(4)	8(6)	1(1)	2(2)	5(5)	1(1)

Explanatory Note:

Total programs (the number on the left in each column) includes new programs in existing locations as well as new programs in new locations. The number in parentheses indicates only the new programs in new locations.

4. Client Groups Served

Table 3 shows the number of group home programs established in the City of Toronto in 1985 by type, sponsoring government agency and service provider.

Table 3

New Group Home Programs in 1985

No.	Service Provider	Type	Responsible Government Agency
2	Gifford Homes	Homes for Young Offenders	Ministry of Correctional Services
1	Madeira Residences		
2	John Howard Society		
1	Dellcrest Children's Centre		
1	My Brothers Place	Home for Young Offenders	Ministry of Correctional Services and Ministry of Community and Social Services
1	St. Leonard's Crossroads	Halfway House for ex-offenders	Ministry of Correctional Services
2	Association for Mentally Retarded	Residence for the mentally Handicapped	Ministry of Community and Social Services
1	Salvation Army		
1	Madison Residences	Home for Ex-Psychiatric Patients	Ministry of Health

5. Group Homes Planned for 1986-87

At this time there are 5 operators with residential care facilities at various stages of the development process. Three of these are new programs for adult ex-offenders, women, and ex-psychiatric patients respectively. The remaining two programs are the relocation of existing group homes for ex-psychiatric patients and the mentally retarded. These 1986 group home starts should be fully implemented early in 1987.

6. Group Homes in Other Municipalities

On November 1, 1984, the Ontario Municipal Board announced the decision to uphold Amendment No.3 to the Metropolitan Official Plan regarding the Metropolitan Toronto Group Home Policy. The area municipalities have finished reviewing their respective by-laws.

The staff responsible for group homes in each area municipality of Metropolitan Toronto met in August to familiarize themselves with the group home situation in each of the other municipalities. A comparison of the regulations governing group homes is shown on Table 4.

All the Metro area municipalities outside the City of Toronto are receiving group home inquiries and each expect homes to be proposed in addition to those already in progress. It should be pointed out that many types of supportive housing in the other Metro municipalities do not correspond with the City's definition of group home. This is because their standards differ regarding the number of people living in a facility. While a group home in Toronto has six to ten residents, in the suburban municipalities the numbers are three to ten.

Other area municipalities are concerned about Community Outreach. Toronto City Council adopted guidelines for operators regarding outreach in April 1983. Each operator is encouraged to consult with groups in the neighbourhood after securing funding, accommodation, and registration but before the start of operation of the facility. These guidelines suggested several methods to be used alone or in combination.

Other Metro municipalities do not encourage the outreach program because they believe as-of-right zoning for group homes makes consultation unnecessary. At the August meeting the staff reported little objection to group homes in any of the suburban municipalities and it was suggested that the information which is publicized from the City of Toronto may be informing people in other areas and negating the need for this outreach.

Table 4 also enables comparison between the number of group homes established and anticipated in the 6 area municipalities. Now that the surburban municipalities all have group home by-laws, operators are making a conscious effort to broaden their base by locating in areas outside the City of Toronto. Although the City of Toronto still contains the largest number of group homes, it is no longer receiving the largest number of inquiries. Scarborough is actively working with 10 proposed group homes which may be one of the reasons that Toronto has not increased the number of group homes located here between December 31, 1985 and September 30, 1986. As discussed earlier, 5 group homes are currently in proposal stages in the City of Toronto.

7. Inspection Concerns

Over the last year there have been two incidents which have raised concerns in the Department of Buildings and Inspection. In one case, the owner of a building leased by a group home operator was taken to court because he had chosen to maintain a boarding and lodging house licence but had not retrofitted his building to meet the fire code regulations. The second case involved a boarding and lodging house where a man fell down some stairs and died.

The concerns over these do not reflect on group homes in particular, but generally on the safety of structures where accommodation is shared.

Group homes are inspected for structural safety by the Buildings and Inspections Department in order to qualify for their provincial contract. After that time the Buildings and Inspections Department does not inspect the home without a specific complaint being lodged—as in the retrofit incident described above. The Buildings and Inspection Department wants assurance that structural inspections do occur regularly through the provincial ministries which fund group homes.

The Buildings and Inspections Department met with the Ministries of Correctional Services, Health, and Community and Social Services to discuss their inspection concerns. It was found that generally children's group homes, sponsored by the Ministry of Community and Social Services and Homes for Young Offenders and ex-offenders, sponsored by the Ministry of Correctional Services, are inspected regularly. Those for adults, sponsored by the Ministry of Health and the Ministry of Community and Social Services, are seldom inspected specifically for structure but are required to submit inspections from the City's Health Department and the Fire Department each year.

8. The Appeal Process and Provincial Ministries

As a follow-up to my May 7 group home report, my staff met with the Ministries of Correctional Services and Community and Social Services to discuss an appeal procedure for citizens concerned about residential care facilities. This meeting took place in July. Both ministries felt that an appeals procedure allowing citizens to block the licence of a group home operator was inappropriate. The Ministries carefully monitor new homes to ensure that the licence has been appropriately awarded. Where community outreach programs do not adequately answer questions and concerns, the ministries welcome phone calls requesting further information.

Staff of the ministries believe that a major policy issue is raised if citizens can be instrumental in the refusal of a licence to a group home. Because the group home has a right to locate in any residential area of the City, it was felt that if a citizen was able to block a group home through pressure on the provincial ministries, then the as-of-right principle would be seriously weakened.

The Ministries of Correctional Services and Community and Social Services have agreed to work with the Planning and Development Department to improve the community consultation and communication process. This would involve the production of a pamphlet outlining the licencing procedure. The topics covered would include the compliance procedure, complaints procedure and inspection of the group home.

9. Provincial Activities concerning Residential Care Facilities

A provincial committee has been established, made up of representatives of the ministries which fund any type of supportive housing. The participating ministries include Housing, Correctional Services, Health, and Community and Social Services. This committee intends to draw up recommendations for a broader based provincial policy, bringing the requirements for supportive housing of all types, not just group homes, into focus. It is intended that the recommendations will more clearly assign the responsibility of each level of government in these housing matters.

The committee intends to conduct a consultation process with representatives of municipalities, operators and other concerned groups on many topics of concern. At this time, a few of the topics to be investigated include existing programs and who they serve; gaps in service; coordination of provincial and municipal governments; a uniform process of community outreach; and the possibility of a data bank at the provincial level which covers all supportive housing and the municipal by-laws which affect it.

At this time there is no deadline for this committee to report.

10. Summary of Key Trends in the Group Home Sector

In 1985, there were 12 new group home programs of which 9 were new locations. In 1986 only 5 group homes are in the planning stages. The major cause for the 1985 activity was the increased number of beds required by the Ministry of Correctional Services as a result of the Young Offenders Act.

The three group homes in which new programs replaced those from 1984 became homes for young offenders. All 7 homes for young offenders received Ministry of Correctional Services funding indicating that the residents are 16-18 years of age. (The Ministry of Community and Social Services funds beds for young offenders from 12-15 years.) In some cases, these youth are placed in other group homes funded by that Ministry.

The Ministry of Health funded only one group home for ex-psychiatric patients in the City of Toronto in 1985. This was the group home recommended by the Gerstein Report.

Because the Ministry of Correctional Services has been conducting an evaluation of their young offenders' homes, it is not anticipated that there will be a significant increase in the number of these facilities in 1987. Until the results of the evaluation are in, the Ministry is expected to hold the line on expansion. Current requests suggest that future group home activity will include programs changing location. This movement is due to the expiry of leases and funding becoming available for movement to better locations. All indications are that group home activity will increase in the surburban municipalities and probably outpace the rate of growth in the City of Toronto.

At this time it appears that the provincial ministries are prepared to work closely with the City to improve the relationships between citizens and new group homes. In addition, the committee formed to investigate the adaptation of supportive housing to its neighbourhood may develop new and even more effective standards for the establishment of group homes.

Recommendation: That this report be received for information.

TABLE 4: COMPARATIVE INFORMATION ON GROUP HOMES IN METROPOLITAN TORONTO

(October 1986)

GROUP HOME PROGRAM DETAILS	EAST YORK	ETOBICOKE	NORTH YORK	SCARBOROUGH	TORONTO	YORK
Total Existing	7	17	27	27	105	2
Proposed Group Homes Jan.1986-present	1	2	-	10	5	-
Distancing Provisions	457m	800m	300m and 1 per neighbourhood	300m	245m	800m
Residents	3-10	3-10	3-10	3-10	6-10	3-10
Departments responsible	Plng.&Bldgs. are in same department	Blds.&Plng.	Plng.&Bldgs.	Entire process in Buildings	Plng.&Bldgs.	Plng.& Bldg
Method of reporting to Council	None at this time	Bldgs.Dept. advises Council of application	None	None	Annual report, no address	Legal non-conforming status

(Council Action - January 12, 1987)

During consideration of this Clause, Council also had before it a communication (January 12, 1987) from Gustave Sandusky, which follows Council's action.

Council referred this Clause, together with the motions of Councillor Grys, back to the Neighbourhoods Committee for further consideration and the hearing of deputations, and requested the Acting Commissioner of Planning and Development to report to the Neighbourhoods Committee on the ramifications of the recommendations contained therein for the City of Toronto.

Motions of Councillor Grys

"Whereas Ward 2 has been an area that has traditionally been attractive to operators of group homes, crisis care facilities, satellite homes, halfway homes and a myriad of other housing initiatives aimed at the socially disadvantaged; and whereas Ward 2 has consistently been chosen as a 'testing ground' for pilot programs of the aforementioned ilk such as Ecuhome and Exodus Link; and whereas there is tangible evidence to suggest that a positive trend through reconversions, renovations, etc., towards owner occupied housing is emerging in the Ward and, particularly in the area south of Queen Street West; and whereas City Council has consistently encouraged a mix of housing types in residential areas and discouraged concentrations of specific types of residential and social programming which could have a 'ghettoization' type effect (i.e.: By-law No. 67-78 which amends By-law No. 20623 so as to prohibit boarding or lodging houses in South Parkdale); therefore be it resolved that City Council direct the Commissioner of Planning and Development to report back to Council within six weeks through the appropriate Committee on the appropriateness of passing an Interim Control By-law or some other measure which would have the effect of prohibiting, at least for a two year period, the establishment of any project such as Exodus Link or any other commercially operated correctional facility in a residential or commercial/residential area in Ward 2."

"That the City Solicitor, in consultation with the Acting Commissioner of Planning and Development, and the Commissioner of Buildings and Inspections, report on whether the Exodus Project falls within the definition of a crisis care facility under By-law 332-78 and the Zoning By-law."

Communication (January 12, 1987) from Gustave Sandusky, Resident of Parkdale, Ward 2:

North Ward 2 and North Parkdale:

These neighbourhoods contain two group homes on Dundas Street West, including Exodus-Link. Ward 2 North has a large industrial area, a shopping area, and an area of smaller but well-kept homes in a fairly stable neighbourhood. Few homes are large enough to make them practical for use as group homes or boarding and lodging houses, although a few possible sites do exist. North Parkdale housing stock is made up of larger homes. However, the predominance of semi-detached homes makes most sites unsuitable due to regulations. Gentrification is quickly altering the nature of the North Parkdale community. As in other city neighbourhoods, large, old run-down homes, each housing many low-income people, are being bought and restored to single-family use by relatively affluent families. The North Parkdale neighbourhood is changing, but in a way that puts more pressure on low-income housing stock. For the Council to place further limits on low-income housing initiatives in this neighbourhood would only accelerate a gentrification trend that is inevitable and would further heighten the crisis in low-income housing and homelessness.

High Park:

This is a neighbourhood of large, mostly well-kept old homes, including some grand old homes. Many are simply too large for single-family use. As a result, most of these extremely large homes have been duplexed or triplexed. A few examples of bachelorette-style conversions exist, but this is a neighbourhood offering largely luxury accommodation. Again, gentrification is the over-riding trend in this affluent neighbourhood. Only one group home exists in this neighbourhood, at 114 Indian Rd. This can hardly justify the claims of "over-saturation" of social housing and group homes as claimed by Ben Grys.

Out of the thousands of High Park residents, it is constantly the same 300-400 people who strive to make this neighbourhood an unwelcoming place for psychiatric patients, single-mothers, seniors, ex-offenders, socially and physically disadvantaged and simply low-income people. Andrew Witer, M.P., has said, "The community needs to set the standards." If we allow this intolerant minority to set our community standards, then we will have a community to be ashamed of.

Most low-income people have already been squeezed out of the High Park neighbourhood. To place further restrictions on social housing in this neighbourhood is not only unnecessary, it would seem to ignore the need for all neighbourhoods with the ability to accept more low-income housing to be encouraged to do so.

South Parkdale:

This is a neighbourhood in transition. For many years large numbers of ignored people needing special care or people who are simply poor, have called South Parkdale home. As Parkdale upgrades, more and more of these people are being squeezed out of their substandard slum housing. These are not people with many options. Many have become homeless. The continued gentrification of South Parkdale seems inevitable. House prices and rents in five years will undoubtedly keep lowincome people out of South Parkdale too. Five years from now, where will these people live?

At the same time, everyone agrees that South Parkdale needs special attention. South Parkdale has ten group homes, many boarding and lodging homes, many bachelorettes. Adding further restrictions to group homes in South Parkdale is unnecessary, since distancing restrictions already do a fine job of preventing further over-concentration. The existing freeze on boarding and lodging-home licences in South Parkdale and the increased inspections of boarding and lodging homes has been producing marked improvements. Programs like Ecuhome and CAP have further contributed to those improvements. Council stated determination to impose minimum standards on bachelorettes which promises to finally resolve that old and contentious issue.

South Parkdale's needs are being adequately served with present City policies. Further restrictions on group home and social housing as suggested by Mr. Grys are simply unnecessary.

What is a Pilot Project?

Since the homeless and those needing special care are all individuals, to meet their needs, many different housing models must come on stream. To develop each model, some aspect of most projects will be new and different and could be claimed to be pilot projects. Such pilot projects are needed. Steve Johns, assistant to Ben Grys, said to me in a 'phone conversation on Friday, January 9, that Ecuhome has been a "good influence on Parkdale". Parkdale Ecuhomes was first known as the Parkdale Pilot Project. The solution to South Parkdale's low-income housing problems, hopefully, will come with imaginative initiatives. Nothing will be helped by an unnecessary freeze that could set a precedent in other neighbourhoods at a time when many more housing initiatives are needed.

Council needs to encourage more social housing, not create more restrictions.

256 Social Housing Projects in Ward 2:

The number 256 comes from meetings held between COMSOC and a group who have called themselves the Ward 2 Presidents Conference Committee. These meetings were granted by Bill MacDonald and were facilitated by Roland Dunning, Area West Manager, and by Joel Shapiro of the Area West office. Lists of all programs involving provincial money were given to this "community group" in the form of program name, address, description and funding amount and form. This list included every initiative from group homes to day care to independent living facilities for single mothers or psychiatric patients.

To say Ward 2 has too many group homes because it has 256 social housing initiatives, many of those simply rent supplements for single mothers, would seem to me to be illogical, inhumane and suspect as to purpose.

The Committees also submit the communication (February 9, 1987) from Mr. Barry A. Leon, President, The North Rosedale Ratepayers' Association:

Our Association has received notification of the above referenced meeting, but has not had an opportunity to review the reports to be considered at the meeting. However, our Association has a longstanding interest in issues that relate to group homes. In that regard, our Association adopted a Policy on April 2, 1984, which has been previously submitted, and is enclosed for your reference.

The Association's Policy noted the emergence of three significant issues and set out our Association's Policy in regard to each. Certain significant principles remain as important as they were when this Policy was adopted almost three years ago. In particular, we have always stressed the importance of public consultation, whether in respect of group homes, or any other issue of concern to residents and ratepayers associations. We believe that early public consultation not only produces a perception of fairness to all concerned but produces improved substantive results.

The North Rosedale Ratepayers' Association Policy on Group Homes as Adopted by the Board of Directors April 2, 1984

Background

Zoning - Most of North Rosedale is zoned either R1Z1, R1Z2 or R1FZ2 by City of Toronto By-law 20623 as amended. The only exceptions to this are the commercial strip and apartment buildings located on the north side of Summerhill Avenue.

Generally speaking, the R1 and R1F desginations mean that only single family dwellings and duplexes are permitted in our neighbourhood. However, it is worthwhile to note that the owner of a private detached dwelling house may keep "(1) not more than two roomers or boarders, or (2) not more than three foster children, or (3) not more than four foster children each of whom is a brother-german or sister-german of all of the others."

The only exceptions to the single family designation in R1 areas are legal, non-conforming uses such as rooming houses which were in place prior to 1953 when the predecessor of the present by-law was enacted and have been in continuing usage since that time.

The North Rosedale Ratepayers' Association's long-standing policy has been to uphold the provisions of the by-law and to oppose any attempts to weaken it, e.g. proposals by City Council in 1978 to rescind the R1 designation. Much of the Directors' time is taken up by violations of and requests for significant variances to the zoning by-law.

The Zoning By-law is the glue which binds our neighbourhoods together. It controls and stabilizes the area. Exceptions to the By-law will set precedents, and lead to other exceptions and relaxation of the By-law which in turn will de-stabilize the neighbourhood.

Group Homes and Zoning - While the purpose of this discussion is not to argue the pros and cons of group homes, it is useful to summarize the recent history of group homes as it relates to city zoning.

From 1976 to 1978, the Province, through the Secretariat for Social Development, developed the group home policy, which would place three to ten unrelated persons in a private home. The Province established funding for group homes and urged municipalities to accept them. In 1978, the City approved the group home concept and made it "as-of-right", so that any type of group home can be placed in any residential area of the City, regardless of other zoning provisions. This was done in anticipation of complementary changes to the Metro Official Plan. Metro Toronto announced changes to its Official Plan in 1979 which would incorporate the "as-of-right" provisions across Metro, each home to house up to ten persons.

However, Metro Toronto municipalities debated the Metro position and discovered that the "as-of-right" zoning provisions promoted by Metro differed radically with the permissive provincial policy which merely "encouraged" the establishment of group homes, and did not make them mandatory.

Meanwhile, the wide-open City of Toronto policy attracted a flood of group homes which clustered in the Parkdale, Annex and Broadview-Gerrard areas.

After numerous objections and considerable debate, the group homes amendment to the Metro Official Plan was sent to the Ontario Municipal Board, with one of the important issues being the "as-to-right" provision of a Metro-wide basis. Even if the amendment were to be approved by the O.M.B. in its present form, establishment of group homes on a "fair share" basis in residential areas of all Metro's local municipalities is unlikely, since there is a preference for larger homes located in areas convenient to support services. The load on local facilities is being further increased by the closure of various facilities and placement of those residents in the Toronto area. In addition to municipalities opposing the group home Official Plan designations at the Ontario Municipal Board, 17 ratepayer groups plus the Confederation of Resident and Ratepayer Associations led by the South Rosedale Coalition, retained counsel to intervene at the proceedings. Hearings are due to resume in mid-April.

Issues - The main issues emerging from the group homes debate are:

1. The special provisions which over-ride and negate the general provisions of R1 zoning. Where does "as-of-right" zoning stop? Is this type of "floating" zoning legal? The next issue on the horizon is affordable housing, recommended by the City of Toronto Neighbourhoods Committee as being a way of greatly increase density - particularly in R1 and R2 areas. Exceptions such as these, would eventually become the rule.

2. Equally important is the question of consultation. In many cases neither the politicians nor the local residents were consulted until after decisions had been made. Only then was 'information' disseminated to the local people.

3. Assuming the validity of the group home experiment, the Province must develop a set of criteria which will comprehensively address the location, establishment and operation of group homes. At present, the provincial program lacks due process and accountability, does not require prior consultation, has no criteria or inspection system; and does not recognize citizen or patient rights. No one government body has assumed the overall authority or responsibility for group homes.

Therefore, it is recommended that the Directors adopt the following Board policy:

1. The North Rosedale Ratepayers' Association does not support the special residential care facility provisions in the Toronto zoning by-law. Any changes to land use in R1 areas must be subject to a process which deals with changes to zoning and provides for public consultation. The "as-of-right" privilege enjoyed by group home operators must be removed.

2. If a group home is proposed for an R1 area via a site specific zoning application, then a full and early consultative process must be carried out with local residents and area politicians before recommendation for approval and funding is given by the Toronto City Council to the responsible Minister. Funding and subsequent zoning approvals should only be given upon acceptance of the group home by the neighbourhood.

3. The Province (Ministry of Health) must be urged to develop stringent and comprehensive criteria for the location, operation and standards of group homes and related institutions. Such criteria must stipulate follow-up inspection procedures and standards of maintenance as well as methods of assessing on a regular basis both patients and staff of these institutions.

Communications Submitted to the Joint Meeting:

The Committees submit the communication (February 11, 1987) from David White, Executive Director, Supportive Housing Coalition, 134 Lower Sherbourne Street, Toronto, M5A 4J4:

The Supportive Housing Coalition is a non-profit organization with a mandate to co-ordinate the development of housing for people recovering from mental health problems. We were first funded in 1982 and since that time we have been instrumental in developing homes for approximately 400 people in various parts of Metropolitan Toronto.

Included in that work has been the establishment of 17 group homes in a wide diversity of neighbourhoods. In each of these instances we have adopted and implemented the guidelines for providing information to the public that the City of Toronto has drawn up even though in many instances the homes were established outside the City of Toronto. We have also assisted a number of other organizations serving other client groups to implement public information programs.

In most instances the Supportive Housing Coalition has found the process to be useful and even rewarding. Most people in most neighbourhoods have been willing to give us a chance. On more than one occasion, we have uncovered people in the neighbourhoods who later become active volunteers for the programs. In fact, we find the public information process to be sufficiently useful that we have retained on contract a person whose job description is entirely directed to community development and community relations. We have, with the support from the Ministry of Health, developed an audio-visual presentation that helps us get our message across. In short the City's community information guidelines are working well and require no amendment.

One of the strengths of the guidelines is that they are flexible and adaptable to the various neighbourhoods. We, therefore, urge the City Council not to tamper with the guidelines or make any particular approach mandatory. We also urge the City to recognize that there are some situations that require more intensive public information processes than others. We request in addition that the City not attempt to require any public information process in connection with the issuance of a building permit that is beyond its jurisdiction.

A second suggestion that City staff inform the Alderman of all inquiries about group homes should be rejected. The Supportive Housing Coalition is concerned that this type of procedure would allow elected officials to interfere in sensitive negotiations between group home developers and vendors. As members of Council are well aware, the City's own real estate negotiations are conducted in private in order to obtain good value for money. Group home developers also need to negotiate for real estate in private and must be assured that our early discussions with City staff are also kept confidential.

Finally, we must emphasize again that the City of Toronto faces a severe housing shortage for low income people. Any requirement that places barriers in the way of affordable housing developers should be resisted. Group Homes have proven to be an innocuous land use in the City of Toronto and their development requires no further regulation.

The Committees also submit the communication (February 11, 1987) from Mr. Stephen Magwood, President, High Park Homeowners and Residents Association, and Member of Anti-Exodus Link Organization:

Permit me to take a roll-call of the community's opposition to the proposed Exodus Link project.

Within 72 hours of discovering the existence of a first meeting, approximately 2,000 fliers were distributed door-to-door by this association, alone. It called residents to action ... in the complete absence of a City or alderman-sponsored notice.

Attendance In Favour: 5-6

Attendance Against: 400+

Two days later, over 800 petitions were signed. Two days more saw 400 demonstrators in front of 2050 Dundas St. W. Still, no City or aldermanic action was evident. Then a second meeting, the first called by our organizers, established sub-committees from the 400+ attending.

Presently, the organizing committee consists of homeowners and tenants living throughout Ward 2. The petitions have surpassed 3,000. The daily picket, initiated January 5th, holds strong with 200 persons signed-sealed-and-delivered nightly for the balance of 1987 ... or for as long as it takes.

Our thanks to Solicitor General James Kelleher for his laughable offer to reduce the 80 attendees to 50, but only for 60 days to March 31st. Residents do realize that as the site has yet to open, it was unlikely to build up to 50 by March 31st anyway. The Solicitor General was simply maneuvering out of his September 1987 date, in favour of a March 1988 date. News of this nonsense and dirty-tricks swelled our ranks once more.

Believe it! We are mindful of our objective and cannot be deterred. Our issue is not some distracting debate over 80 or 50. Or the philosophical differnece between profit and non-profit group homes, crises care facilities, etc.

Our issue is the total, accumulative and consistent over-concentration of social assistance programmes and services in Ward 2.

We are not against the good intentions of half-way homes, rehabilitation centres, crises care and group homes, the variety of drug/alcohol/youth offender programmes, etc. etc. etc. But the saturation of one area with so many programmes, compared with any other community, is harmful to the 'hosting' neighbourhoods. As it is harmful to the persons receiving these services. Moreover, the over-concentration attracts and encourages other hangers-on:

- too many boarding and lodging homes
- prostitution
- related crime
- public drug abuse
- public alcohol abuse
- public nuisance

When our community became the second international mission for Mother Theresa, after Calcutta ... its time to admit that we've got a problem that existing remedies cannot solve!

We can all take pride in the brave initiatives taken by the City of Toronto in trying to assist the needy and less fortunate. But we also have a responsibility to the 'hosting' neighbourhood. The taxpayers. We must mature, through experience, and improve the system.

Everyone would benefit from an effective revision of the group home distancing criteria. The present 800-foot distance rule, only between like-kind facilities, provides a loop-hole big enough to drive through with 37 just-provincially-funded programmes ... potentially all within the same 800 feet! Additional distancing criteria is needed to separate all-kinds of programmes and facilities.

Also needed is a ward-by-ward quota, equalizing the distribution of facilities throughout the City. In turn, both the good and shabby operators will be forced to look beyond Ward 2 and very likely beyond some other areas in the City which are also doing more than the average share. Ultimately, we must force new operators to look beyond the City of Metro, overall ... including Exodus Link, whose federal mandate is Metro-wide. (Albeit the Solicitor General might be well-advised to review the Exodus Link concept, entirely, and with public input, before 'dumping' it elsewhere.

Having quantified each neighbourhoods responsibility, City Council could take the next logical step by improving community consultation. Torontonians do see a role for themselves in doing their fair share. All it requires is the political will to create a more fair and equitable system for all. In turn, the remedial objectives in each programme would be more likely achieved.

Both federally and provincially, enabling criteria should also be attached to the transfer of payments which result in these programmes at the municipal level ... thus ensuring that other municipalities throughout Ontario and Canada also follow Toronto's lead.

In Ward 2, specifically, the over-riding objective should be an effective prohibition of any additional programmes that would attract even more social dependants. Let us deal with our present case-load. Give us a chance to stabilize.

Also in Ward 2, establish a real estate trust fund to permanently re-convert our housing stock for the arrival of more self-supporting homeowners and tenants. Approximately 10-million-dollars would get the ball rolling, over the next two years. Through market-rate re-sale values, plus short and medium term deposit management, the City could anticipate a 9-20 percent profit margin, overall, with perhaps 40-50 percent of the original investment returned to liquid assets in 4-5 years. Phasing out of certain programmes from the area could be achieved with absolutely no personal hardship. Other properties, currently engaged in some social service, would simply re-enter the marketplace in the usual fashion, but then be guaranteed of contributing to the solution, not the problem.

As for Exodus Link, it does not comply with the existing definition of a crisis care facility. It is not:

> "a temporary residence/forpersons/requiring immediate shelter/and assistance/for a short period"

Rather, it is more likely:

> "a mandatory residence, or a mandatory detention-attendance centre for a convicted criminal still serving his sentence, albeit in the community provided he behaves/who is then provided accommodation according to his criminal sentence/while benefitting from available and non-compulsary rehabilitation/for the full term of his original criminal sentence/at taxpayer expense"

There is nothing optional or consumer-related to prison and parole. The additional supervision during parole recognizes that the parolee is still a potential danger to the 'hosting' community. And for good reason: 75% of the federal parolees break parole and return to jail within one year. And 80% of the provincial offenders return to jail.

On a professional footing, critics of the Exodus Link programme per se, note how the site is a minimum security facility without a badge in the place. Without a cop in the joint. It proposes mixing residents with attendees, as well as heavy and light offenders ... contrary to all prevailing wisdom, on an experimental basis, further without any public debate at any level of government in Canada.

Also the Executive Director in a half-way house is above reproach, beyond the normal reins of accountability. The convict who has served two-thirds of his sentence can simply ask Exodus Link for permission to attend. Exodus Link has the sole right to refuse or accept. This same Executive Director is responsible for maintaining the site's revenues.

Many startling details are contained in the official proposal by Exodus Link to the Solicitor General. Tragically, Exodus Link has threatened a law-suit against me, personally, if I share these details with the same community and taxpayers who are supposed to love it and pay for it.

This shroud of secrecy is regrettably consistent with the entire manner in which Exodus Link arrived at 2050 Dundas St. W. Let Exodus Link serve as an example, by ejecting it out of Ward 2 ... sending it all the way back to Ottawa, if possible, for an honest open and public review. (This is no way to privatize anything ... let alone Canada's thin line of internal national defense between the 'good guys' and the 'bad guys'.)

In summary, Exodus Link should be stopped in its tracks. Still, Exodus Link can be useful as a catalyst for the political will needed to affect change. We all deserve a social assistance strategy that is more equitable in distribution and case-load; more fair to 'hosting' neighbourhoods; and more effective for those persons relying on social assistance.

Thank you for your consideration.

The Committees also submit the communication (undated) from Mr. Michael Melling, Vice Chairperson, Parkdale Tenants' Association:

The Parkdale Tenants Association (PTA) recommends the following to the members of the Committees and to City Council:

1. That recommendation 1 of the Report of the Executive Committee on the Group Home Monitoring Report be rejected. An appeal process would be costly, time-consuming and wasteful. There are better ways to ensure community consultation.

2. That recommendation 2 of the same Report be amended to provide for mandatory community consultation after a proposed facility has secured funding and chosen a site. In addition, public meetings for community consultation should be mandatory, at which the proponent would present sufficient information to enable the community to form reasoned opinions about the proposal in order to provide constructive advice.

3. That recommendation 3 of the same Report be rejected as impractical. The placement of such facilities should be determined by community need, not by some arbitrary "even spread" policy.

4. That Council not proceed to revoke the building permit granted to Exodus Link, for the reasons set out in the Report of the City's Legal Department of February 6th, 1987.

5. That recommendations 1, 3 and 4 of the February 5th, 1987 Report of the Commissioner of Planning and Development be adopted. Recommendation 2 should be rejected.

6. That recommendation 1 of the Report of the Commissioner of Planning and Development, dated January 5th, 1987, be adopted.

7. That Council not allow the controversy over the Exodus Link project to force ill-considered changes to its policies regarding group homes, residential care facilities and crisis care facilities. Council made a commitment in 1978 that it can and should be proud of. Council should not be intimidated into a retreat from the high ground.

The Parkdale Tenants' Association is particularly concerned to distance itself from the irresponsible behaviour and attitude of the community groups who have opposed this project in a frenzy of ignorance. We wish to stress our longstanding commitment to "as of right", to pluralism, and to access of all citizens to our neighbourhoods, regardless of source of income, employment status, previous criminal record or place of origin.

We hope to co-operate with Exodus Link and with Council to integrate this and other services for the disadvantages into our community.

The Committees also submit the communication (February 11, 1987) from Ms. Lucy Wasiuk:

After reading "Group Home Primer for the City of Toronto", I make the following proposals:

1. Distance between Group Homes in the City of Toronto must be three kilometers in radius.

2. That a By-law be passed prohibiting privately run Group Homes for business.

3. It should be imperative to consult the neighbourhoods first.

The Committees also submit the communication (February 11, 1987) from Mr. Zygmunt Uznanski:

After reading "Group Home Primer for the City of Toronto", I make the following proposals:

1.That a By-law be passed prohibiting Group Homes to be run as a business.

2. Distance between Group Homes in the City of Toronto must be two miles.

3. The neighbourhood should be consulted first.

The material appended to the foregoing report is on file in the City Clerk's Department.

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(Communication (February 17, 1987) from the Roncesvalles/Macdonell Residents' Association, the Parkdale Village Ratepayers' Association, and the Parkdale Business Improvement Association)

We the following associations, the Roncesvalles/Macdonell Residents' Association, the Parkdale Village Ratepayers Association, and the Parkdale Business Improvement Association, would like to go on record concerning the Exodus Link project.

The events of Wednesday, February 11th, seemed to be dominated by a group of individuals, who do not represent the people of the Parkdale community, nor their attitudes. Our groups have now found it necessary to distance ourselves from the High Park Home Owners Association as their actions are wholly unacceptable. The reasons behind this furor have not been entirely related to the issues at hand.

We hope that because of their actions you will not paint us with the same brush. This matter is of grave concern to our organizations: we have worked exceedingly long hours to ensure that Parkdale's image be a positive one. Our feelings of frustration at this moment are overwhelming.

We feel that our requests and registering of objections to City Council have been made on grounds that are fair, reasonable, and well thought out. City Council has always responded in kind. You have come to treat us with respect, which has translated itself into many new incentives for our community. We sincerely hope that this mutual respect has not been compromised by the recent events surrounding Exodus Link which were beyond our control.

We feel our concerns are valid and should not and must not be dismissed. They are as follows:

1. *Process*
2. *Privatization*
3. *Size*
4. *Safety nets for the community*
5. *Type of offender*
6. *The model*

We have been in touch with the Parkdale Tenants' Association and we understand they have already communicated their position to Council.

Parkdale Legal Services have also been contacted and they have no objections to this letter.

Would it be possible to discuss our concerns with you or your assistant as soon as possible. Your cooperation in this matter is paramount.

Respectfully submitted,
COUNCIL CHAMBERS,

MICHAEL WALKER
Chairman, Land Use Committee

Toronto, February 11, 1986.